

SENATE BILL 36

E2
SB 150/19 – JPR

(PRE-FILED)

01r0504

By: **Senator Hough**

Requested: August 12, 2019

Introduced and read first time: January 8, 2020

Assigned to: Judicial Proceedings

A BILL ENTITLED

1 AN ACT concerning

2 **Correctional Services – Eligibility for Parole – Life Imprisonment**

3 FOR the purpose of altering the amount of time that a certain inmate who has been
4 sentenced to life imprisonment must serve before becoming eligible for parole
5 consideration; and generally relating to eligibility for parole.

6 BY repealing and reenacting, with amendments,

7 Article – Correctional Services

8 Section 7–301(d)

9 Annotated Code of Maryland

10 (2017 Replacement Volume and 2019 Supplement)

11 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND,
12 That the Laws of Maryland read as follows:

13 **Article – Correctional Services**

14 7–301.

15 (d) (1) Except as provided in paragraphs (2) and (3) of this subsection[.]:

16 (I) an inmate who has been sentenced to life imprisonment **AFTER**
17 **BEING CONVICTED OF A CRIME COMMITTED BEFORE OCTOBER 1, 2020**, is not eligible
18 for parole consideration until the inmate has served 15 years or the equivalent of 15 years
19 considering the allowances for diminution of the inmate’s term of confinement under §
20 6–218 of the Criminal Procedure Article and Title 3, Subtitle 7 of this article; **AND**

21 (II) **AN INMATE WHO HAS BEEN SENTENCED TO LIFE**
22 **IMPRISONMENT AFTER BEING CONVICTED OF A CRIME COMMITTED ON OR AFTER**

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



1 **OCTOBER 1, 2020, IS NOT ELIGIBLE FOR PAROLE CONSIDERATION UNTIL THE**
2 **INMATE HAS SERVED 25 YEARS OR THE EQUIVALENT OF 25 YEARS CONSIDERING THE**
3 **ALLOWANCES FOR DIMINUTION OF THE INMATE'S TERM OF CONFINEMENT UNDER §**
4 **6-218 OF THE CRIMINAL PROCEDURE ARTICLE AND TITLE 3, SUBTITLE 7 OF THIS**
5 **ARTICLE.**

6 (2) An inmate who has been sentenced to life imprisonment as a result of
7 a proceeding under former § 2-303 or § 2-304 of the Criminal Law Article is not eligible for
8 parole consideration until the inmate has served 25 years or the equivalent of 25 years
9 considering the allowances for diminution of the inmate's term of confinement under §
10 6-218 of the Criminal Procedure Article and Title 3, Subtitle 7 of this article.

11 (3) (i) If an inmate has been sentenced to imprisonment for life without
12 the possibility of parole under § 2-203 or § 2-304 of the Criminal Law Article, the inmate
13 is not eligible for parole consideration and may not be granted parole at any time during
14 the inmate's sentence.

15 (ii) This paragraph does not restrict the authority of the Governor to
16 pardon or remit any part of a sentence under § 7-601 of this title.

17 (4) Subject to paragraph (5) of this subsection, if eligible for parole under
18 this subsection, an inmate serving a term of life imprisonment may only be paroled with
19 the approval of the Governor.

20 (5) (i) If the Commission decides to grant parole to an inmate sentenced
21 to life imprisonment who has served 25 years without application of diminution of
22 confinement credits, the decision shall be transmitted to the Governor.

23 (ii) The Governor may disapprove the decision by written
24 transmittal to the Commission.

25 (iii) If the Governor does not disapprove the decision within 180 days
26 after receipt, the decision becomes effective.

27 **SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect**
28 **October 1, 2020.**