

10 AN ACT CONCERNING

20 **Eligibility for Parole in State Correctional Facilities**

30 FOR the purpose of extending the amount of time a convicted person must serve their time in a  
40 correctional facility.

50 BY repealing and adding to  
60 Article-Correctional Services  
70 Section 7-301  
80 Annotated Code of Maryland  
90 (1995 Replacement Volume and 1997 Supplement)

100 SECTION 1. BE IT ENACTED BY THE MARYLAND STUDENT LEGISLATURE, That the  
110 laws of Maryland shall read as follows:

120 **Article – Correctional Services**

130 § 7-301

140 (a) (1) Except as otherwise provided in this section, the Commission shall request  
150 that the Division of Parole and Probation make an investigation for inmates in a local  
160 correctional facility and the Division of Correction make an investigation for inmates  
170 in a State correctional facility that will enable the Commission to determine the  
180 advisability of granting parole to an inmate who:

190 (i) has been sentenced under the laws of the State to serve a term of ~~6~~ 12  
200 months or more in a correctional facility; and

210 (ii) has served in confinement one ~~fourth~~ HALF of the inmate's aggregate  
220 sentence.

230 (2) Except as otherwise provided by law or in a predetermined parole release  
240 agreement, an inmate is not eligible for parole until the inmate has served in confinement  
250 one ~~fourth~~ HALF of the inmate's aggregate sentence.

260 (b) *Multiple terms.* - Except as provided in subsection (c) of this section, if an inmate has  
270 been sentenced to a term of imprisonment during which the inmate is eligible for parole and a term  
280 of imprisonment during which the inmate is not eligible for parole, the inmate is not eligible for  
290 parole consideration under subsection (a) of this section until the inmate has served the greater of

300 (1) one ~~fourth~~ HALF of the inmate's aggregate sentence; or

310 (2) a period equal to the term during which the inmate is not eligible for parole.

320 (c) (1) (i) Except as provided in subparagraph (ii) of this paragraph, an  
330 inmate who has been sentenced to the Division of Correction after being  
340 convicted of a violent crime committed after ~~October 1, 1994~~ JUNE 1, 2002, is  
350 not eligible for parole until the inmate has served the greater of

360 1. one ~~half~~ THREE-FOURTHS of the inmate's aggregate  
370 sentence for violent crimes; or

380 2. one ~~fourth~~ HALF of the inmate's total aggregate sentence.

390 (ii) An inmate who has been sentenced to the Division of Correction after  
400 being convicted of a violent crime committed on or after ~~October 1, 1994~~ JUNE  
410 1, 2002, and who has been sentenced to more than one term of imprisonment,  
420 including a term during which the inmate is eligible for parole and a term  
430 during which the inmate is not eligible for parole, is not eligible for parole until  
440 the inmate has served the greater of

450 1. ~~one-half~~ THREE-FOURTHS of the inmate's aggregate  
460 sentence for violent crimes;

470 2. ~~one-fourth~~ HALF of the inmate's total aggregate sentence; or

480 3. a period equal to the term during which the inmate is not  
490 eligible for parole.

500 (2) An inmate who is serving a term of imprisonment for a violent crime committed  
510 on or after ~~October 1, 1994~~ JUNE 1, 2002, shall receive an administrative review of the  
520 inmate's progress in the correctional facility after the inmate has served the greater of

530 (i) ~~one-fourth~~ HALF of the inmate's aggregate sentence; or

540 (ii) if the inmate is serving a term of imprisonment that includes a  
550 mandatory term during which the inmate is not eligible for parole, a period equal  
560 to the term during which the inmate is not eligible for parole.

570 (d) (1) Except as provided in paragraphs (2) and (3) of this subsection, an  
580 inmate who has been sentenced to life imprisonment is not eligible for parole  
590 consideration until the inmate has served ~~15~~ 20 years or the equivalent of ~~15~~ 20  
600 years considering the allowances for diminution of the inmate's term of confinement  
610 under Article 27, § 638C of the Code and Title 3, Subtitle 7 of this article.

620 (2) An inmate who has been sentenced to life imprisonment as a result of a  
630 proceeding under Article 27, § 413 is not eligible for parole consideration until  
640 the inmate has served 25 years or the equivalent of 25 years considering the allowances  
650 for diminution of the inmate's term of confinement under Article 27, § 638C of the Code  
660 and Title 3, Subtitle 7 of this article.

670 (3) (i) If an inmate has been sentenced to imprisonment for life without the  
680 possibility of parole under Article 27, § 412 or § 413 of the Code, the inmate is  
690 not eligible for parole consideration and may not be granted parole at any time  
700 during the inmate's sentence.

710 (ii) This paragraph does not restrict the authority of the Governor to pardon  
720 or remit any part of a sentence under § -601 of this article.

730 (4) If eligible for parole under this subsection, an inmate serving a term of life  
740 imprisonment may only be pardoned with the approval of the Governor.

750 SECTION 2. AND BE IT FURTHER ENACTED, That this act shall take effect  
760 June 1, 2002

770 MANDATES: Governor Parris Glendening  
780 Lt. Governor Kathleen Kennedy Townsend  
790 Senator Robert Kittleman  
800 Delegate Tod Sher

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Speaker of the House Casper Taylor  
President of the Senate Thomas "Mike" Miller

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