

# HOUSE BILL 588

E4

2lr0085

---

By: **Chair, Judiciary Committee (By Request – Departmental – Public Safety and Correctional Services)**

Introduced and read first time: February 6, 2012

Assigned to: Judiciary

---

## A BILL ENTITLED

1 AN ACT concerning

2 **Correctional Services – Maryland Parole Commission – Eligibility for Parole**

3 FOR the purpose of altering certain conditions under which certain inmates are  
4 eligible to be granted parole; and generally relating to parole eligibility for  
5 inmates.

6 BY repealing and reenacting, with amendments,  
7 Article – Correctional Services  
8 Section 7–301(a)  
9 Annotated Code of Maryland  
10 (2008 Replacement Volume and 2011 Supplement)

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

13 **Article – Correctional Services**

14 7–301.

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

20 (i) has been sentenced under the laws of the State to serve a  
21 term of [6] 12 months or more in a correctional facility; [and]

---

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



1                   **(II) HAS MORE THAN 90 DAYS BEFORE RELEASE FROM A**  
2 **CORRECTIONAL FACILITY; AND**

3                   **[(ii)] (III)** has served in confinement one-fourth of the inmate's  
4 aggregate sentence.

5                   (2) Except as provided in paragraph (3) of this subsection, or as  
6 otherwise provided by law or in a predetermined parole release agreement, an inmate  
7 is not eligible for parole until the inmate has served in confinement one-fourth of the  
8 inmate's aggregate sentence.

9                   (3) An inmate may be released on parole at any time in order to  
10 undergo drug or alcohol treatment, mental health treatment, or to participate in a  
11 residential program of treatment in the best interest of an inmate's expected or  
12 newborn child if the inmate:

13                   (i) is not serving a sentence for a crime of violence, as defined  
14 in § 14-101 of the Criminal Law Article;

15                   (ii) is not serving a sentence for a violation of Title 3, Subtitle 6,  
16 § 5-608(d), § 5-609(d), § 5-612, § 5-613, § 5-614, § 5-621, § 5-622, or § 5-628 of the  
17 Criminal Law Article; and

18                   (iii) has been determined to be amenable to treatment.

19                   (4) The Division of Parole and Probation shall complete and submit to  
20 the Commission each investigation of an inmate in a local correctional facility required  
21 under paragraph (1) of this subsection within 60 days of commitment.

22                   SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect  
23 October 1, 2012.