

providing for the review of sentences in criminal cases, imposing certain duties upon the judiciary of this State and upon the Department of Parole and Probation in relation to such review of sentence, and relating generally to certain criminal convictions and to the right for a review of the sentences therein.

SECTION 1. *Be it enacted by the General Assembly of Maryland,* That the following new sections be and they are hereby added to Article 26 of the Annotated Code of Maryland (1957 Edition and 1965 Supplement), such sections to be under the new subtitle "Review of Criminal Sentences," to follow immediately after Section 129, to be designated as Sections 130 to 136, inclusive of said Article, and to read as follows:

*Review of Criminal Sentences*

130.

*Unless no different sentence could have been imposed or unless the sentence was imposed by more than one trial judge, every person convicted of a crime after the effective date of this subtitle by any trial court of this State and sentenced to serve, with or without suspension, a total of ~~not less~~ MORE than two (2) years imprisonment in any penal or correctional institution in this State, or sentenced to death, shall be entitled to have the sentence reviewed by a panel of three (3) or more trial judges of the judicial circuit in which the sentencing court is located; provided, however, that no person shall have the right to have any sentence reviewed more than once pursuant to this section. Whether or not he is a trial judge of the judicial circuit in which the sentencing court is located, the judge who sentenced the convicted person shall be one of the members of the panel, whenever he is determined to be available by the chief judge of the judicial circuit in which the sentencing court is located, unless this requirement is eliminated or amended by an appropriate rule of the Court of Appeals.*

131.

*For purposes of this subtitle, a sentence shall be deemed to be a sentence of MORE THAN two (2) years ~~or more~~, if by its imposition by any trial court of this State, or if by the requirement of any trial court of this State that all or any part of a suspended sentence be served, the period of the sentence, when added to the unserved time of any prior or simultaneous sentence, whether or not suspended, imposed by any court or other authority of this State or of any other jurisdiction, ~~equals or~~ exceeds two (2) years. If there has been a review pursuant to this subtitle of a sentence which was originally suspended in whole or in part and any suspended part of such sentence is later required to be served, there shall not be any right of review of the order requiring such suspended part of the sentence to be served.*

132.

*The panel shall have the right to require the Department of Parole and Probation to investigate, report, and make recommenda-*