

Section 21-101 through 21-108, inclusive, to be under the new title "Title 21. State Commission on Criminal Sentencing Policy"

Annotated Code of Maryland

(1997 Replacement Volume and 1998 Supplement)

BY repealing and reenacting, with amendments,

Article - Correctional Services

Section 7-301(a)

Annotated Code of Maryland

(As enacted by Chapter \_\_\_\_ (H.B. 11) of the Acts of the General Assembly of 1999)

~~BY repealing and reenacting, with amendments,~~

~~Article - State Government~~

~~Section 7-205(a) and 10-102(b)~~

~~Annotated Code of Maryland~~

~~(1995 Replacement Volume and 1998 Supplement)~~

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

**Article 27 - Crimes and Punishments**

640.

(A) AT THE TIME OF IMPOSITION OF A SENTENCE OF INCARCERATION FOR A VIOLENT CRIME AS DEFINED IN § 7-101 OF THE CORRECTIONAL SERVICES ARTICLE THAT IS TO BE EXECUTED AND FOR WHICH A DEFENDANT WILL BE ELIGIBLE FOR PAROLE AS PROVIDED IN § 7-301(C) OR (D) OF THE CORRECTIONAL SERVICES ARTICLE, THE COURT SHALL STATE IN OPEN COURT THE MINIMUM TIME THE DEFENDANT MUST SERVE FOR THE VIOLENT CRIME BEFORE BECOMING ELIGIBLE FOR PAROLE.

(B) THE STATEMENT REQUIRED UNDER SUBSECTION (A) OF THIS SECTION IS FOR INFORMATIONAL PURPOSES ONLY AND MAY NOT BE CONSIDERED A PART OF THE SENTENCE.

(C) THE FAILURE OF A COURT TO COMPLY WITH THE REQUIREMENTS OF THIS SECTION DOES NOT AFFECT THE LEGALITY OR EFFICACY OF THE SENTENCE IMPOSED.

643C.

~~[(a) Nothing in this article may be construed to prohibit the use of judicial guidelines in setting sentences.~~

~~(b) However, the guidelines may not:~~

~~(1) Prescribe a sentence exceeding the maximum sentence provided by law; or~~