

unnecessary in light of the introductory language of subsections (a) and (b) of this section.

In subsection (c)(1) of this section, the phrase “[e]xcept as provided in subparagraph (ii) of this paragraph” is added to state expressly that which was only implied in the former law.

In subsection (c)(1)(i) of this section, the reference to an inmate who has served “the greater of ... one-half of the inmate’s aggregate sentence for violent crimes ... or ... one-fourth of the inmate’s total aggregate sentence” is substituted for the former reference to an inmate who has served “one-half of the term or consecutive terms” for clarity. The Correctional Services Article Review Committee notes, for consideration by the General Assembly, that the meaning of the reference to “one-half of the term or consecutive terms” is ambiguous in situations involving inmates who are serving at least one sentence for a violent crime and at least one sentence for a nonviolent crime. The Committee has applied the rule of lenity to former Art. 41, § 4-516(c)(1)(i) to determine its meaning in such situations and has revised subsection (c)(1)(i) of this section to reflect the application of that rule. See generally Maryland House of Corrections v. Fields, 348 Md. 245, 267 (1997). Correspondingly, in subsection (c)(1)(ii) of this section, the reference to “one-half of the inmate’s aggregate sentence for violent crimes ... [or] one-fourth of the inmate’s total aggregate sentence” has been substituted for the former reference to “one-half of the aggregate terms sentenced”. No substantive change is intended.

In subsection (c)(1)(i) and (ii) and the introductory language of (c)(2) of this section, the references to a violent crime “committed on or after October 1, 1994” are added for accuracy. See § 3 of Chs. 716 and 717 of 1994.

In the introductory language of subsection (c)(2) of this section, the reference to the defined term “correctional facility” is substituted for the former reference to “institution” for consistency throughout this article. See § 1-101 of this article for the definition of “correctional facility”.

The Correctional Services Article Review Committee notes, for consideration by the General Assembly, that subsection (c) of this section applies only to an inmate who has been sentenced to the Division of Correction after being convicted of a violent crime. It does not apply to an inmate who is sentenced to a local correctional facility after being convicted of a violent crime. The General Assembly may wish to amend subsection (c) to make it applicable to these types of inmates.

In subsection (d)(1) and (2) of this section, the references to a “term” of confinement are substituted for the former references to a “period” of confinement for consistency throughout this article. See General Revisor’s Note to this article.

In subsection (d)(3)(i) of this section, the former reference to the inmate’s