

HB0493/882617/1

BY: House Judiciary Committee

AMENDMENTS TO HOUSE BILL 493

(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in the sponsor line, strike “and McComas” and substitute “McComas, Grammer, Hartman, R. Watson, Arian, Cox, and Malone”; in line 2, after “Solicitation” insert “and Conspiracy”; in the same line, strike “– Penalty” and substitute “Resulting in Death”; after line 2, insert:

“(Stacey’s Law)”;

strike beginning with “providing” in line 3 down through “Act;” in line 8 and substitute “clarifying that a person who solicits another or conspires with another to commit murder in the first degree is guilty of murder in the first degree if the death of another occurs as a result of the solicitation or conspiracy;”; in line 8, after “solicitation” insert “and conspiracy”; strike in their entirety lines 10 through 14, inclusive; and in line 16, strike “2–211” and substitute “2–201”.

AMENDMENT NO. 2

On pages 1 and 2, strike in their entirety the lines beginning with line 21 on page 1 through line 16 on page 2, inclusive, and substitute:

“Article – Criminal Law

2–201.

(a) A murder is in the first degree if it is:

(1) a deliberate, premeditated, and willful killing;

(Over)

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(2) committed by lying in wait;

(3) committed by poison; or

(4) committed in the perpetration of or an attempt to perpetrate:

(i) arson in the first degree;

(ii) burning a barn, stable, tobacco house, warehouse, or other
outbuilding that:

1. is not parcel to a dwelling; and

2. contains cattle, goods, wares, merchandise, horses,
grain, hay, or tobacco;

(iii) burglary in the first, second, or third degree;

(iv) carjacking or armed carjacking;

(v) escape in the first degree from a State correctional facility or
a local correctional facility;

(vi) kidnapping under § 3-502 or § 3-503(a)(2) of this article;

(vii) mayhem;

(viii) rape;

(ix) robbery under § 3-402 or § 3-403 of this article;

(x) sexual offense in the first or second degree;

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(xi) sodomy; or

(xii) a violation of § 4-503 of this article concerning destructive devices.

(b) (1) A person who commits a murder in the first degree is guilty of a felony and on conviction shall be sentenced to:

(i) imprisonment for life without the possibility of parole; or

(ii) imprisonment for life.

(2) Unless a sentence of imprisonment for life without the possibility of parole is imposed in compliance with § 2-203 of this subtitle and § 2-304 of this title, the sentence shall be imprisonment for life.

(C) A PERSON WHO SOLICITS ANOTHER OR CONSPIRES WITH ANOTHER TO COMMIT MURDER IN THE FIRST DEGREE IS GUILTY OF MURDER IN THE FIRST DEGREE IF THE DEATH OF ANOTHER OCCURS AS A RESULT OF THE SOLICITATION OR CONSPIRACY.”

On page 2, in line 17, strike “3.” and substitute “2.”.