

SB0279/603824/1

BY: Senator Della

AMENDMENTS TO SENATE BILL 279
(First Reading File Bill)

AMENDMENT NO. 1

On page 1, at the top of the page, insert “CONSTITUTIONAL AMENDMENT”; in line 2, strike “Law – Death Penalty – Repeal” and substitute “Procedure – Death Sentence – Abolishment”; and strike in their entirety lines 3 through 17, inclusive, and substitute:

“FOR the purpose of proposing an amendment to the Maryland Declaration of Rights to prohibit a court of law in the State from imposing a sentence of death; and submitting this amendment to the qualified voters of the State of Maryland for their adoption or rejection.

BY proposing an amendment to the Maryland Constitution Declaration of Rights Article 25”.

AMENDMENT NO. 2

On pages 1 and 2, strike in their entirety the lines beginning with line 18 on page 1 through line 40 on page 2, inclusive, and substitute:

SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND, (Three-fifths of all the members elected to each of the two Houses concurring), That it be proposed that the Maryland Constitution read as follows:

Declaration of Rights

25.

(Over)

That excessive bail ought not to be required, nor excessive fines imposed, nor cruel or unusual punishment, INCLUDING A SENTENCE OF DEATH, inflicted, by the Courts of Law.

SECTION 2. AND BE IT FURTHER ENACTED, That the General Assembly determines that the amendment to the Maryland Constitution proposed by this Act affects multiple jurisdictions and that the provisions of Article XIV, § 1 of the Maryland Constitution concerning local approval of constitutional amendments do not apply.

SECTION 3. AND BE IT FURTHER ENACTED, That the foregoing section proposed as an amendment to the Maryland Constitution shall be submitted to the legal and qualified voters of this State at the next general election to be held in November, 2010 for their adoption or rejection pursuant to Article XIV of the Maryland Constitution. At that general election, the vote on this proposed amendment to the Constitution shall be by ballot, and upon each ballot there shall be printed the words "For the Constitutional Amendment" and "Against the Constitutional Amendment," as now provided by law. Immediately after the election, all returns shall be made to the Governor of the vote for and against the proposed amendment, as directed by Article XIV of the Maryland Constitution, and further proceedings had in accordance with Article XIV."

AMENDMENT NO. 3

On pages 3 through 25, strike in their entirety the lines beginning with line 1 on page 3 through line 15 on page 25, inclusive.