

Article - Criminal Law

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§2–201.

- (a) A murder is in the first degree if it is:
- (1) a deliberate, premeditated, and willful killing;
 - (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;
 - (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.

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