HOUSE BILL 1135

E2, E1 5lr2761

By: Delegate B. Wilson

Introduced and read first time: February 19, 2015 Assigned to: Rules and Executive Nominations

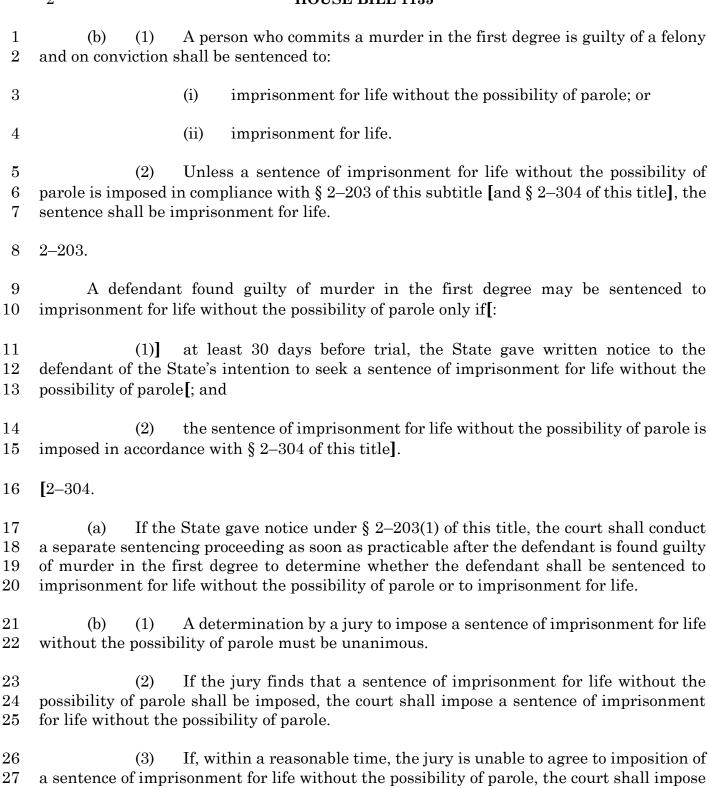
A BILL ENTITLED

1 AN ACT concerning

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Criminal Procedure - Life Without Parole - Repeal of Sentencing Proceeding

- 3 FOR the purpose of repealing certain provisions of law that provide a separate jury proceeding to determine whether a person convicted of first degree murder is 4 5 sentenced to imprisonment for life without the possibility of parole or imprisonment 6 for life; establishing that a court may sentence a person convicted of first degree 7 murder to imprisonment for life without the possibility of parole without the 8 requirement of a separate jury sentencing procedure under certain circumstances; 9 making conforming changes; providing for the application of this Act; and generally relating to sentencing for first degree murder. 10
- 11 BY repealing and reenacting, with amendments,
- 12 Article Criminal Law
- 13 Section 2–201(b) and 2–203
- 14 Annotated Code of Maryland
- 15 (2012 Replacement Volume and 2014 Supplement)
- 16 BY repealing
- 17 Article Criminal Law
- 18 Section 2–304 and 2–305
- 19 Annotated Code of Maryland
- 20 (2012 Replacement Volume and 2014 Supplement)
- 21 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND,
- 22 That the Laws of Maryland read as follows:
- 23 Article Criminal Law
- 24 2-201.



29 **[**2–305.

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The Court of Appeals may adopt:

a sentence of imprisonment for life.

- 1 (1) rules of procedure to govern the conduct of sentencing proceedings 2 under § 2–304 of this subtitle; and
- 3 (2) forms for a court or jury to use in making written findings and sentence 4 determinations.]
- SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall be construed to apply only prospectively and may not be applied or interpreted to have any effect on or application to any crime committed before the effective date of this Act.
- 8 SECTION 3. AND BE IT FURTHER ENACTED, That this Act shall take effect 9 October 1, 2015.