## SENATE BILL 1187

E2, E1 7lr3796 SB 157/16 – JPR

By: Senators Cassilly, Brochin, Hough, Norman, and Ready

Constitutional Requirements Complied with for Introduction in the last 35 Days of Session Introduced and read first time: March 10, 2017

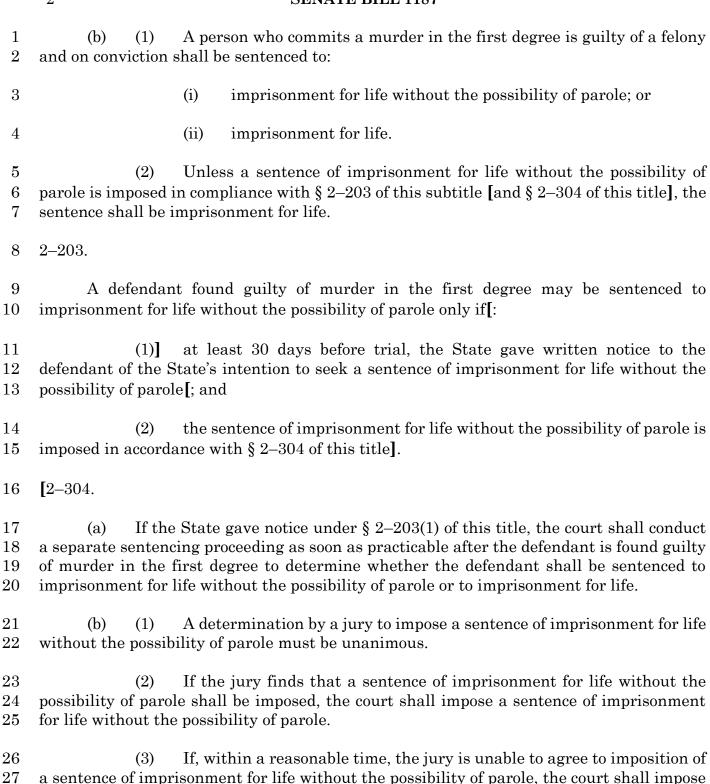
Assigned to: Rules

## A BILL ENTITLED

1 AN ACT concerning

## 2 Criminal Procedure - Life Without Parole - Repeal of Sentencing Proceeding

- 3 FOR the purpose of repealing certain provisions of law that provide a separate jury 4 proceeding to determine whether a person convicted of murder in the first degree is 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 murder in the 7 first degree 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 10 relating to sentencing for murder in the first degree.
- 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 2016 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 2016 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.

28

30

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  $\S 2-304$  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, 2017.