

BY: Judicial Proceedings Committee

AMENDMENTS TO SENATE BILL NO. 127

(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 2, strike "Death Penalty" and substitute "Life Without Possibility of Parole"; strike beginning with "imposing" in line 3 down through "on" in line 4 and substitute "establishing a maximum penalty of life without the possibility of parole for"; strike beginning with "who" in line 5 down through "defendant" in line 13; in the same line, after the semicolon, insert "requiring a State's Attorney to provide a certain notice;"; in line 15, strike "the death penalty" and substitute "life without the possibility of parole"; and strike beginning with "338;" in line 18 down through "; and" in line 19 and substitute "338.".

AMENDMENT NO. 2

On page 1, in line 31, after "(B)" insert "(1)"; and strike beginning with "WHO" in line 31 down through "DEFENDANT" in line 32.

On page 2, in lines 4 and 5, strike "THE PENALTY PRESCRIBED UNDER § 412 OF THIS ARTICLE" and substitute "A MAXIMUM SENTENCE OF LIFE WITHOUT THE POSSIBILITY OF PAROLE"; and after line 5, insert:

"(2) IF THE STATE'S ATTORNEY INTENDS TO SEEK A SENTENCE OF LIFE WITHOUT THE POSSIBILITY OF PAROLE UNDER PARAGRAPH (1) OF THIS SUBSECTION, IT SHALL NOTIFY THE PERSON IN WRITING AT LEAST 30 DAYS PRIOR TO TRIAL OF THIS INTENTION."

AMENDMENT NO. 3

On pages 2 through 8, strike in their entirety the lines beginning with line 6 on page 2 through line 20 on page 8, inclusive.

On page 9, in line 1, after "(2)" insert "(I)"; strike beginning with "WHO" in the same line

(Over)

down through “DEFENDANT” in line 2; in lines 5 and 6, strike “THE PENALTY PRESCRIBED UNDER § 412 OF THIS ARTICLE” and substitute “A MAXIMUM SENTENCE OF LIFE WITHOUT THE POSSIBILITY OF PAROLE”; after line 6, insert:

“(II) IF THE STATE’S ATTORNEY INTENDS TO SEEK A SENTENCE OF LIFE WITHOUT THE POSSIBILITY OF PAROLE UNDER SUBPARAGRAPH (I) OF THIS PARAGRAPH, IT SHALL NOTIFY THE PERSON IN WRITING AT LEAST 30 DAYS PRIOR TO TRIAL OF THIS INTENTION.”;

in line 20, after “(2)” insert “(I)”; strike beginning with “WHO” in the same line down through “DEFENDANT” in line 21; in lines 24 and 25, strike “THE PENALTY PRESCRIBED UNDER § 412 OF THIS ARTICLE” and substitute “A MAXIMUM SENTENCE OF LIFE WITHOUT THE POSSIBILITY OF PAROLE”; and after line 25, insert:

“(II) IF THE STATE’S ATTORNEY INTENDS TO SEEK A SENTENCE OF LIFE WITHOUT THE POSSIBILITY OF PAROLE UNDER SUBPARAGRAPH (I) OF THIS PARAGRAPH, IT SHALL NOTIFY THE PERSON IN WRITING AT LEAST 30 DAYS PRIOR TO TRIAL OF THIS INTENTION.”.

On page 10, in line 6, after “(2)” insert “(I)”; strike beginning with “WHO” in the same line down through “DEFENDANT” in line 7; in lines 10 and 11, strike “THE PENALTY PRESCRIBED UNDER § 412 OF THIS ARTICLE” and substitute “A MAXIMUM SENTENCE OF LIFE WITHOUT THE POSSIBILITY OF PAROLE”; after line 11, insert:

“(II) IF THE STATE’S ATTORNEY INTENDS TO SEEK A SENTENCE OF LIFE WITHOUT THE POSSIBILITY OF PAROLE UNDER SUBPARAGRAPH (I) OF THIS PARAGRAPH, IT SHALL NOTIFY THE PERSON IN WRITING AT LEAST 30 DAYS PRIOR TO TRIAL OF THIS INTENTION.”;

in line 25, after “(2)” insert “(I)”; strike beginning with “WHO” in the same line down through “DEFENDANT” in line 26; in lines 29 and 30, strike “THE PENALTY PRESCRIBED UNDER § 412 OF THIS ARTICLE” and substitute “A MAXIMUM SENTENCE OF LIFE WITHOUT THE POSSIBILITY OF PAROLE”; and after line 30, insert:

“(II) IF THE STATE’S ATTORNEY INTENDS TO SEEK A SENTENCE OF LIFE WITHOUT THE POSSIBILITY OF PAROLE UNDER SUBPARAGRAPH (I) OF THIS PARAGRAPH, IT SHALL NOTIFY THE PERSON IN WRITING AT LEAST 30 DAYS PRIOR TO TRIAL OF THIS INTENTION.”.