

(2) At the time of the commission of the act, he was 18 years of age or older; and

(3) The murder was committed under one or more of the following circumstances:

(i) The defendant committed the murder at a time when he was confined or under sentence of confinement to any correctional institution in this State;

(ii) [[The defendant committed the murder in furtherance of an attempt to escape from or evade the lawful custody, arrest, or detention of or by a law-enforcement officer, correctional officer, or guard;]] THE VICTIM WAS A LAW-ENFORCEMENT OFFICER AS DEFINED IN ARTICLE 27, SECTION 727, WHO WAS MURDERED WHILE IN THE PERFORMANCE OF HIS DUTIES OR THE DEFENDANT COMMITTED THE MURDER IN FUTUREANCE OF AN ATTEMPT TO ESCAPE FROM OR EVADE THE LAWFUL CUSTODY OR DETENTION OF OR BY A CORRECTIONAL OFFICER OR GUARD.

(iii) The victim was a hostage taken or attempted to be taken in the course of a kidnapping or an attempt to kidnap;

(iv) The victim was a child abducted in violation of § 2 of this article;

(v) The defendant committed the murder pursuant to an agreement or contract to commit the murder for pecuniary gain;

(vi) At the time of the murder, the defendant was under a sentence of life imprisonment;

(vii) The defendant committed more than one offense of murder in the first degree arising out of the same or separate incidents;

(viii) The defendant committed the murder while committing or attempting to commit robbery[.];

[[(IX) THE VICTIM WAS A LAW-ENFORCEMENT OFFICER AS DEFINED IN ARTICLE 27, SECTION 727 WHO WAS MURDERED WHILE IN THE PERFORMANCE OF HIS DUTIES.]]

SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall be construed only prospectively and may not be applied or interpreted to have any effect upon or application to any event or happening occurring prior to the effective date of this Act.