

CHAPTER 3

(Senate Bill 374)

AN ACT concerning

Crimes and Punishments - Capital Punishment

FOR the purpose of repealing the present statutes which mandate that the death penalty be imposed as punishment for conviction of certain crimes; repealing other provisions concerning the designation of degree in a murder case, and the prosecution for petit treason; providing that the punishment for conviction of first degree murder shall be life imprisonment or capital punishment, depending upon a certain proceeding; requiring the jury or court to indicate in a guilty verdict in a murder case whether the finding is guilty of murder in the first degree or murder in the second degree; requiring a separate sentencing proceeding in certain cases, to be conducted upon a finding of guilty of first degree murder; providing for the evidentiary character of the sentencing proceeding; requiring written findings of fact and determination of sentence by the court or jury; requiring the court or jury to consider certain aggravating circumstances; requiring the court or jury to consider certain mitigating circumstances in certain cases; requiring the court or jury to weigh the aggravating and mitigating circumstances; requiring the court or jury to make certain written findings and determinations of sentence; requiring the court to impose the sentence determined by a jury; providing an automatic appeal of every death sentence and specifying the procedures to be followed and the considerations to be made; authorizing the Court of Appeals to adopt certain rules; providing for the prospective application of the Act; defining certain terms; making style changes; and generally relating to the imposition of capital punishment in certain cases.

BY repealing

Article 27 - Crimes and Punishments
Section 412, 413, and 414
Annotated Code of Maryland
(1976 Replacement Volume and 1977 Supplement)

BY adding to

Article 27 - Crimes and Punishments
Section 412, 413, and 414
Annotated Code of Maryland
(1976 Replacement Volume and 1977 Supplement)

BY repealing and reenacting, with amendments,