

that a sentence of death be executed by lethal injection of certain drugs.

In subsections (a)(3) and (c)(1) and (2) of this section, the references to "individuals" and "individual" are substituted for the former references to "person" and "persons", respectively, because only human beings, and not the other entities included in the defined term "person", can perform an execution. See § 1-101 of this article for the definition of "person".

Defined term: "Commissioner" § 3-101

3-907. WITNESSES.

(A) REQUIRED WITNESSES.

IN ADDITION TO THOSE INDIVIDUALS WHO ARE OTHERWISE REQUIRED TO SUPERVISE, PERFORM, OR PARTICIPATE IN AN EXECUTION, THE COMMISSIONER SHALL SELECT AT LEAST 6 BUT NOT MORE THAN 12 RESPECTABLE CITIZENS TO OBSERVE THE EXECUTION.

(B) OPTIONAL WITNESSES.

COUNSEL FOR THE INMATE AND A MEMBER OF THE CLERGY MAY BE PRESENT AT THE EXECUTION.

REVISOR'S NOTE: This section formerly was Art. 27, § 73.

The only changes are in style.

Defined terms: "Commissioner" § 3-101

"Inmate" § 1-101

3-908. CERTIFICATE.

THE COMMISSIONER SHALL:

(1) PREPARE AND SIGN A CERTIFICATE THAT STATES:

(I) THE TIME AND PLACE OF EXECUTION; AND

(II) THAT THE EXECUTION WAS CONDUCTED IN ACCORDANCE WITH THE SENTENCE OF THE COURT AND THE PROVISIONS OF THIS SUBTITLE;

(2) REQUEST THAT EACH WITNESS OF THE EXECUTION SIGN THE CERTIFICATE; AND

(3) FILE THE CERTIFICATE WITHIN 10 DAYS AFTER THE EXECUTION WITH THE CLERK OF THE COURT IN THE COUNTY IN WHICH THE INMATE WAS INDICTED.

REVISOR'S NOTE: This section is new language derived without substantive change from former Art. 27, § 79.

The reference to the "Commissioner" is substituted for the former reference to the "warden" for consistency within this subtitle.