

Approved May 17, 1976.

CHAPTER 603

(Senate Bill 720)

AN ACT concerning

Indictments for Murder

FOR the purpose of altering the form of indictment for certain crimes; giving the Act a prospective effect; and making this Act effective only upon the passage of a certain bill.

BY repealing and reenacting, with amendments,

Article 27 - Crimes and Punishments
Section 616(b)
Annotated Code of Maryland
(1971 Replacement Volume and 1975 Supplement)

SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND, That Section 616(b) of Article 27 - Crimes and Punishments, of the Annotated Code of Maryland (1971 Replacement Volume and 1975 Supplement) be and it is hereby repealed and reenacted, with amendments, to read as follows:

Article 27 - Crimes and Punishments

616.

(b) In any indictment for murder in which the State seeks the imposition of the death penalty, the indictment shall set forth a concise and definite statement of the offense. This portion of the indictment shall be a separate charge and may not be a part of any other count or charge. It is sufficient to use a form substantially as follows:

"That A.B. on the day of nineteen hundred and at the county aforesaid, feloniously, wilfully and of deliberately premeditated malice aforethought, did murder C.D. against the peace, government and dignity of the State; that he is the person who actually committed an act which proximately caused the victim's death; that at the time of the commission of the act, he was 18 years of age or older; and that the murder was committed under the following circumstances:

(Strike if not applicable)