

BY adding to

Article 27 - Crimes and Punishments
Section 413(m)
Annotated Code of Maryland
(1982 Replacement Volume and 1983 Supplement)

SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND, That the Laws of Maryland read as follows:

Article 27 - Crimes and Punishments

413.

(M) (1) A JUDGE SHALL APPOINT AT LEAST 2 ALTERNATE JURORS WHEN IMPANELING A JURY FOR ANY PROCEEDING:

(I) IN WHICH THE DEFENDANT IS BEING TRIED FOR A CRIME FOR WHICH THE DEATH PENALTY MAY BE IMPOSED; OR

(II) WHICH IS HELD UNDER THE PROVISIONS OF THIS SECTION.

(2) THE ALTERNATE JURORS SHALL BE RETAINED DURING THE LENGTH OF THE PROCEEDINGS UNDER SUCH RESTRICTIONS AND REGULATIONS AS THE JUDGE MAY IMPOSE.

(3) (I) IF ANY JUROR DIES, BECOMES INCAPACITATED, OR DISQUALIFIED, OR IS DISCHARGED FOR ANY OTHER REASON BEFORE THE JURY BEGINS ITS DELIBERATIONS ON SENTENCING, AN ALTERNATE JUROR BECOMES A JUROR IN THE ORDER IN WHICH SELECTED, AND SERVES IN ALL RESPECTS AS THOSE SELECTED ON THE REGULAR TRIAL PANEL.

(II) AN ALTERNATE JUROR MAY NOT REPLACE A JUROR WHO IS DISCHARGED DURING THE ACTUAL DELIBERATIONS OF THE JURY ON THE GUILT OR INNOCENCE OF THE DEFENDANT, OR ON THE ISSUE OF SENTENCING.

SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect July 1, 1984.

Approved May 29, 1984.

CHAPTER 653

(House Bill 814)

AN ACT concerning