

SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect July 1, 1987.

Approved April 29, 1987.

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CHAPTER 237

(House Bill 693)

AN ACT concerning

First Degree Murder - Additional Penalty - Imprisonment  
for Life Without Parole

FOR the purpose of providing for imprisonment for life without the possibility of parole as a penalty for first degree murder; requiring the State to notify the defendant of its intention to seek a sentence of imprisonment for life without the possibility of parole; providing that a court shall impose life imprisonment if the court or jury determines that the death sentence may not be imposed and if the State did not give certain notice of intention to seek a sentence of life imprisonment without the possibility of parole; providing that the court ~~or jury~~ shall conduct a certain sentencing hearing if the State gave a certain notice of intention to seek a sentence of imprisonment for life without the possibility of parole to a person convicted of first degree murder; altering the instructions that a court is required to give to the jury after in the sentencing proceeding; providing for a determination by the court or jury whether to impose a sentence of imprisonment for life without the possibility of parole if the State gave notices of intention to seek imprisonment for life without the possibility of parole in addition to seeking the death penalty; requiring a jury, under certain circumstances, to agree unanimously on whether to impose a sentence of life imprisonment without the possibility of parole; requiring the court, under certain circumstances, to impose the sentence of imprisonment for life without the possibility of parole if the jury agrees unanimously; requiring the court to dismiss a jury and impose a sentence of imprisonment for life under certain circumstances; providing for evidence admissible in certain sentencing proceedings; providing for certain aggravating circumstances to be considered by the court; providing for life imprisonment in a hearing on a possible sentence of life imprisonment without the possibility of parole when aggravating circumstances are absent or are outweighed by certain mitigating circumstances; providing for a written determination by the court; providing for the imposition of sentence; providing