

(D) EXCEPT AS PROVIDED BY § 413 OF THIS ARTICLE, THE COURT SHALL DECIDE WHETHER TO IMPOSE A SENTENCE OF LIFE IMPRISONMENT OR LIFE IMPRISONMENT WITHOUT THE POSSIBILITY OF PAROLE.

(E) IN THIS SECTION, "IMPRISONMENT FOR LIFE WITHOUT THE POSSIBILITY OF PAROLE" MEANS IMPRISONMENT FOR THE NATURAL LIFE OF AN INMATE UNDER THE CUSTODY OF A CORRECTIONAL INSTITUTION, INCLUDING THE PATUXENT INSTITUTION.

413.

(a) If a person is found guilty of murder in the first degree, and if the State had given the notice required under § 412(b), a separate sentencing proceeding shall be conducted as soon as practicable after the trial has been completed to determine whether he shall be sentenced to death, ~~for imprisonment-for-life~~ 7-OR-IMPRISONMENT--FOR--LIFE--WITHOUT--THE POSSIBILITY-OF-PAROLE.

(b) This proceeding shall be conducted:

(1) Before the jury that determined the defendant's guilt; or

(2) Before a jury impaneled for the purpose of the proceeding if:

(i) The defendant was convicted upon a plea of guilty;

(ii) The defendant was convicted after a trial before the court sitting without a jury;

(iii) The jury that determined the defendant's guilt has been discharged by the court for good cause; or

(iv) Review of the original sentence of death by a court of competent jurisdiction has resulted in a remand for resentencing; or

(3) Before the court alone, if a jury sentencing proceeding is waived by the defendant.

(c) (1) The following type of evidence is admissible in this proceeding:

(i) Evidence relating to any mitigating circumstance listed in subsection (g) of this section;

(ii) Evidence relating to any aggravating circumstance listed in subsection (d) of this section of which the State had notified the defendant pursuant to § 412(b) of this article;