

BY repealing and reenacting, with amendments,

Article 27 - Crimes and Punishments
Section 412
Annotated Code of Maryland
(1982 Replacement Volume and 1986 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

412.

(a) If a person is found guilty of murder, the court or jury that determined the person's guilt shall state in the verdict whether the person is guilty of murder in the first degree or murder in the second degree.

(b) [A] EXCEPT AS PROVIDED UNDER SUBSECTION (D) OF THIS SECTION, A person found guilty of murder in the first degree shall be sentenced either to death or to imprisonment for life. The sentence shall be imprisonment for life unless (1) the State notified the person in writing at least 30 days prior to trial that it intended to seek a sentence of death, and advised the person of each aggravating circumstance upon which it intended to rely, and (2) a sentence of death is imposed in accordance with § 413.

(c) A person found guilty of murder in the second degree shall be sentenced to imprisonment for not more than 30 years.

(D) IF A PERSON FOUND GUILTY OF MURDER IN THE FIRST DEGREE WAS LESS THAN ±6 18 YEARS OLD AT THE TIME THE MURDER WAS COMMITTED, THE PERSON SHALL BE SENTENCED TO IMPRISONMENT FOR LIFE AND MAY NOT BE SENTENCED TO DEATH.

SECTION 2. AND BE IT FURTHER ENACTED, That the provisions of this Act apply to individuals who are awaiting trial or sentencing by the courts of this State on July 1, 1987.

SECTION 3. AND BE IT FURTHER ENACTED, That this Act shall take effect July 1, 1987.

Approved June 2, 1987.