

(2) ANY PERSON WHO ADMINISTERS THE PARALYTIC AGENT AND LETHAL INJECTION NEED NOT BE LICENSED OR CERTIFIED AS ANY TYPE OF HEALTH CARE PRACTITIONER UNDER THE HEALTH OCCUPATIONS ARTICLE.

[73.

The warden of the Maryland Penitentiary is hereby authorized and directed to provide and maintain a permanent death chamber within the confines of said penitentiary, and which said death chamber shall have all the necessary appliances for the proper execution of felons by the administration of a lethal gas. In said death chamber shall be executed all felons upon whom the death penalty has been imposed, for offenses committed on or after January 1st, 1923. Each execution shall be conducted by the said warden or some assistant or assistants designated by him, in the presence of the sheriff of the county or city where such felon was indicted, the physician of the said penitentiary, or his assistant, and a number of respectable citizens numbering not less than six or more than twelve. Counsel for the convict and two ministers of the gospel may be present.]

73.

(A) THE COMMISSIONER OF CORRECTION SHALL SELECT AT LEAST 6 AND NOT MORE THAN 12 RESPECTABLE CITIZENS TO OBSERVE THE EXECUTION, IN ADDITION TO THE PERSONS WHO ARE OTHERWISE REQUIRED TO SUPERVISE, PERFORM, OR PARTICIPATE IN THE EXECUTION.

~~(B) THE PERSON WHO IS TO BE EXECUTED MAY SELECT 2 PERSONS TO OBSERVE THE EXECUTION, IN ADDITION TO THE PERSONS SELECTED BY THE COMMISSIONER UNDER SUBSECTION (A) OF THIS SECTION.~~

~~(C)~~ (B) COUNSEL FOR THE PERSON TO BE EXECUTED AND A MEMBER OF THE CLERGY MAY BE PRESENT AT THE EXECUTION.

627.

If any offender, on conviction, may be sentenced to suffer death, the court before whom such offender shall be tried and convicted shall sentence him to suffer death by the INTRAVENOUS administration of a [lethal gas] LETHAL QUANTITY OF AN ULTRASHORT-ACTING BARBITURATE OR OTHER SIMILAR DRUG IN COMBINATION WITH A CHEMICAL PARALYTIC AGENT.

SECTION 2. AND BE IT FURTHER ENACTED, That any person who is sentenced to death by lethal gas prior to the effective date of this Act shall be executed by lethal injection. However, the person may elect to be executed by lethal gas. If a person elects to be executed by lethal gas, the person shall submit a written request for execution by lethal gas to the Clerk of the Court that imposed the sentence of death with a copy to the Commissioner of Correction within 60 days after the effective date of this Act. If an execution is scheduled to occur during the 60-day period, the request shall be made at least ~~1 week~~ two weeks prior to the date of a the scheduled execution. If such a request is not made, the right to elect execution by lethal gas shall be waived.