

(g) (1) [A hearing on a petition filed in a case in which a death sentence has been imposed shall be held within 180 days after the date that the petition is filed unless good cause for a postponement is shown] THE DATE FOR A HEARING ON A PETITION FILED IN A CASE IN WHICH A SENTENCE OF DEATH HAS BEEN IMPOSED SHALL:

(I) BE SET WITHIN 30 DAYS AFTER THE DAY ON WHICH THE PETITION IS FILED; AND

(II) BE NO LATER THAN ~~180~~ 90 DAYS AFTER THE DAY ON WHICH THE PETITION IS FILED.

(2) AFTER THE HEARING DATE IS SET UNDER PARAGRAPH (1) OF THIS SUBSECTION, THE COURT MAY NOT CHANGE THE DATE UNLESS:

(I) A PARTY FILES A MOTION REQUESTING THE CHANGE; AND

(II) GOOD CAUSE FOR THE CHANGE IS SHOWN.

(3) THE COURT SHALL ISSUE A DECISION ON A PETITION FILED IN A CASE IN WHICH A SENTENCE OF DEATH HAS BEEN IMPOSED WITHIN 90 DAYS AFTER THE HEARING ON THE PETITION.

[(2)](4) This subsection may be enforced by either party through the filing of a petition for writ of mandamus in the Court of Appeals.

~~SECTION 2. AND BE IT FURTHER ENACTED, That the Laws of Maryland read as follows:~~

~~Article 27 — Crimes and Punishments~~

~~412A.~~

~~(A) IF A PARTY SEEKS TO OBTAIN AUTOMATIC REMOVAL UNDER ARTICLE IV, § 8 OF THE MARYLAND CONSTITUTION, THE PARTY SHALL FILE A MOTION REQUESTING REMOVAL AT LEAST 30 DAYS BEFORE TRIAL OR, IF THERE IS NO TRIAL, THE SENTENCING PROCEEDING OR WITHIN 15 DAYS AFTER THE STATE PROVIDES NOTICE TO THE DEFENDANT OF ITS INTENT TO SEEK A SENTENCE OF DEATH, WHICHEVER OCCURS LATER.~~

~~(B) IF A PARTY DOES NOT FILE A MOTION SEEKING REMOVAL WITHIN THE TIME PERIOD SPECIFIED IN SUBSECTION (A) OF THIS SECTION, A COURT MAY NOT GRANT A PARTY'S REQUEST FOR REMOVAL UNLESS THE PARTY SEEKING REMOVAL ESTABLISHES THAT THE PARTY CANNOT OBTAIN A FAIR TRIAL OR SENTENCING PROCEEDING IN THE JURISDICTION IN WHICH THE CASE IS PENDING.~~

SECTION ~~3.~~ 2. AND BE IT FURTHER ENACTED, That, subject to Section ~~4~~ 3 below, the provisions of this Act shall apply to all criminal cases, regardless of whether the case arises out of an offense that is committed before or after the effective date of this Act or whether the trial or sentencing of the defendant occurs before or after the effective date of this Act.