

(2) MAY PERMIT THE VICTIM OR THE VICTIM'S REPRESENTATIVE ~~TO ADDRESS THE JUDGE UNDER OATH OR AFFIRMATION~~ UNDER OATH OR AFFIRMATION TO ADDRESS THE JUDGE BEFORE THE IMPOSITION OF SENTENCE OR OTHER DISPOSITION AT THE REQUEST OF THE VICTIM OR THE VICTIM'S REPRESENTATIVE.

[(b)](C) (1) If the victim or the victim's representative is permitted to address the judge or jury, the defendant may cross-examine the victim or the victim's representative.

(2) The cross-examination is limited to the factual statements made in the address to the judge or jury.

[(c)] (D) (1) A victim or THE VICTIM'S representative has the right not to address the court at THE sentencing OR DISPOSITION HEARING.

(2) A person may not attempt to coerce a victim or THE VICTIM'S representative to address the court at THE sentencing OR DISPOSITION HEARING.

780A.

(A) IN THIS SECTION, "VICTIM'S REPRESENTATIVE" HAS THE MEANING STATED IN § 780 OF THIS SUBHEADING.

(B) EXCEPT AS PROVIDED IN SUBSECTION (C) OF THIS SECTION, A VICTIM'S REPRESENTATIVE HAS THE SAME RIGHT TO ADDRESS THE JURY IN A DEATH PENALTY SENTENCING AS A VICTIM'S REPRESENTATIVE HAS TO ADDRESS A JUDGE UNDER § 780 OF THIS SUBHEADING.

(C) (1) ON MOTION OF A DEFENDANT OR THE STATE OR ON ITS OWN REQUEST, THE COURT IN A DEATH PENALTY SENTENCING MAY HOLD A HEARING OUTSIDE OF THE PRESENCE OF THE JURY TO DETERMINE WHETHER A VICTIM'S REPRESENTATIVE MAY PRESENT AN ORAL ADDRESS TO THE JURY.

(2) IF THE COURT DETERMINES THAT PART OF A VICTIM'S REPRESENTATIVE'S ORAL ADDRESS WILL BE SO UNDULY PREJUDICIAL THAT IT RENDERS THE JURY SENTENCING PROCEEDING FUNDAMENTALLY UNFAIR, THE COURT MAY LIMIT THE PREJUDICIAL PORTION OF THE ORAL ADDRESS.

781.

(A) IN THIS SECTION, "DEFENDANT" ~~INCLUDES~~ MEANS:

(1) A PERSON WHO IS CHARGED WITH A CRIME; ~~AND~~ OR

(2) A CHILD WHO IS ALLEGED TO HAVE COMMITTED A DELINQUENT ACT.

[(a)] (B) A presentence investigation that is completed by the Division of Parole and Probation under Article 41, § 4-609 of the Code OR A PREDISPOSITION INVESTIGATION THAT IS COMPLETED BY THE DEPARTMENT OF JUVENILE JUSTICE shall include a victim impact statement, if: