

(II) STATES THAT IN THE PSYCHIATRIST'S MEDICAL OPINION THE INMATE IS INCOMPETENT;

(III) STATES THAT THE INCOMPETENCE AROSE SINCE THE PREVIOUS FINDING OF COMPETENCE; AND

(IV) STATES THE PERTINENT FACTS ON WHICH EACH OPINION IS BASED, INCLUDING THE FACTS THAT SHOW THE CHANGE IN THE INMATE'S CONDITION SINCE THE PREVIOUS FINDING.

(3) PROCEEDINGS ON A PETITION UNDER THIS SUBSECTION SHALL BE IN ACCORDANCE WITH SUBSECTIONS (D) THROUGH (I) OF THIS SECTION.

(K) FORMS AND PROCEDURES.

THE MARYLAND RULES SHALL GOVERN:

(1) THE FORM OF PETITIONS AND ALL OTHER PLEADINGS; AND

(2) EXCEPT AS OTHERWISE PROVIDED IN THIS SECTION, THE PROCEDURES TO BE FOLLOWED BY THE CIRCUIT COURT IN DETERMINING COMPETENCY OR INCOMPETENCY AND BY THE COURT OF APPEALS IN REVIEWING APPLICATIONS FOR LEAVE TO APPEAL.

(L) EFFECT ON AUTHORITY OF GOVERNOR

THIS SECTION DOES NOT AFFECT THE POWER OF THE GOVERNOR TO STAY EXECUTION OF A SENTENCE OF DEATH UNDER § 3-902(F) OF THIS SUBTITLE OR TO COMMUTE A SENTENCE OF DEATH UNDER ARTICLE 41, § 4-513 OF THE CODE.

REVISOR'S NOTE: This section is new language derived without substantive change from former Art. 27, § 75A.

In subsection (d)(1) of this section, the reference to a "warrant of execution" is substituted for the former reference to a "warrant to execute the death sentence" for consistency within this subtitle.

In subsection (d)(7) of this section, the references to the "State's Attorney" are added to state expressly that which was only implied in the former reference to the "State".

Defined terms: "County" § 1-101

"Person" § 1-101

### 3-905. METHOD OF EXECUTION.

(A) IN GENERAL.

THE MANNER OF INFLECTING THE PUNISHMENT OF DEATH SHALL BE THE CONTINUOUS INTRAVENOUS ADMINISTRATION OF A LETHAL QUANTITY OF AN ULTRASHORT-ACTING BARBITURATE OR OTHER SIMILAR DRUG IN COMBINATION WITH A CHEMICAL PARALYTIC AGENT UNTIL A LICENSED PHYSICIAN PRONOUNCES DEATH ACCORDING TO ACCEPTED STANDARDS OF MEDICAL PRACTICE.