

The balance of former Art. 41, § 4-610 is revised as § 6-113 of the Correctional Services Article.

In item (1) of this section, the former reference to each case "wherein a verdict of guilty was found" is deleted as implicit in the reference to each case "in which ... the defendant was sentenced to imprisonment for 18 months or more".

The Correctional Services Article Review Committee notes, for consideration by the General Assembly, that the various State's Attorneys, in practice, do not generally prepare the reports required by this section.

Article 27 - Crimes and Punishments

414A. CLERK OF THE COURT; DUTIES.

(A) IN GENERAL.

IMMEDIATELY AFTER THE IMPOSITION OF A SENTENCE OF DEATH:

(1) THE CLERK OF THE COURT IN WHICH SENTENCE IS IMPOSED, IF DIFFERENT FROM THE COURT WHERE THE INDICTMENT OR INFORMATION WAS FILED, SHALL CERTIFY THE PROCEEDINGS TO THE CLERK OF THE COURT WHERE THE INDICTMENT OR INFORMATION WAS FILED; AND

(2) THE CLERK OF THE COURT WHERE THE INDICTMENT OR INFORMATION WAS FILED SHALL COPY THE DOCKET ENTRIES IN THE INMATE'S CASE, SIGN THE COPIES, AND DELIVER THEM TO THE GOVERNOR.

(B) DOCKET ENTRIES.

THE DOCKET ENTRIES SHALL SHOW FULLY THE SENTENCE OF THE COURT AND THE DATE THAT THE SENTENCE WAS ENTERED.

REVISOR'S NOTE: Chapter 54, Acts of 1999, which enacted the Correctional Services Article, also enacted this section, which is new language derived without substantive change from former Art. 27, § 74 as it related to the duties of the clerk of the court.

The balance of former Art. 27, § 74 is revised in § 3-901(a) and (b) of the Correctional Services Article.

In the introductory language of subsection (a) of this section, the requirement that the specified action be taken immediately after a "sentence of death" is substituted for the former requirement that the specified action be taken immediately after "conviction" for consistency with subsection (b) of this section, which requires information relating to the "sentence of the court".

In subsection (a)(1) and (2) of this section, the references to an indictment "or information" are added because a death penalty case can originate by either an indictment or information.