

added to conform to subsection (b) of this section.

In subsection (b)(1) of this section, the reference to "each party" is substituted for the former reference to "the State and the defendant" for clarity.

In subsection (b)(2) of this section, the reference to a "hearing" is substituted for the former reference to a "proceeding" for consistency within this section.

Defined term: "Review panel" § 8-101

8-107. RULES FOR DECISION MAKING.

(A) MAJORITY VOTE NEEDED.

EXCEPT AS PROVIDED IN SUBSECTION (C) OF THIS SECTION, A MAJORITY OF THE MEMBERS OF THE REVIEW PANEL IS NECESSARY TO MAKE A DECISION.

(B) DECISION TO BE MADE WITHIN 30 DAYS.

THE REVIEW PANEL SHALL MAKE THE DECISION WITHIN 30 DAYS AFTER THE FILING DATE OF THE APPLICATION FOR REVIEW.

(C) UNANIMITY REQUIRED TO DECREASE MANDATORY SENTENCE.

A REVIEW PANEL MAY NOT ORDER A DECREASE IN A MANDATORY MINIMUM SENTENCE UNLESS THE DECISION OF THE REVIEW PANEL IS UNANIMOUS.

(D) TIME SERVED TO BE CONSIDERED IN SUBSTITUTED SENTENCE.

A REVIEW PANEL SHALL CONSIDER TIME SERVED ON THE SENTENCE UNDER REVIEW TO BE TIME SERVED ON ANY SENTENCE THAT IS SUBSTITUTED.

REVISOR'S NOTE: This section is new language derived without substantive change from former Art. 27, § 645JC(e), (g), and (b)(2)(ii).

In subsection (b) of this section, the reference to a "defendant" is substituted for the former reference to the "convicted person" to conform to the terminology used throughout this title.

Defined term: "Review panel" § 8-101

8-108. DEATH SENTENCES.

(A) REVIEW OF DEATH SENTENCE.

THE REVIEW OF A SENTENCE OF DEATH IS GOVERNED BY ARTICLE 27, § 414 OF THE CODE.

(B) INCREASE OF SENTENCE TO DEATH SENTENCE — PROHIBITED.

A REVIEW PANEL MAY NOT INCREASE A SENTENCE TO THE SENTENCE OF DEATH.