

2. CONTAINS CATTLE, GOODS, WARES, MERCHANDISE, HORSES, GRAIN, HAY, OR TOBACCO;

(III) BURGLARY IN THE FIRST, SECOND, OR THIRD DEGREE;

(IV) CARJACKING OR ARMED CARJACKING;

(V) ESCAPE IN THE FIRST DEGREE FROM A STATE CORRECTIONAL FACILITY OR A LOCAL CORRECTIONAL FACILITY;

(VI) KIDNAPPING UNDER § 3-502 OR § 3-503(A)(2) OF THIS ARTICLE;

(VII) MAYHEM;

(VIII) RAPE;

(IX) ROBBERY UNDER § 3-402 OR § 3-403 OF THIS ARTICLE;

(X) SEXUAL OFFENSE IN THE FIRST OR SECOND DEGREE;

(XI) SODOMY; OR

(XII) A VIOLATION OF § 4-503 OF THIS ARTICLE CONCERNING DESTRUCTIVE DEVICES.

(B) PENALTY.

(1) A PERSON WHO COMMITS A MURDER IN THE FIRST DEGREE IS GUILTY OF A FELONY AND ON CONVICTION SHALL BE SENTENCED TO:

(I) DEATH;

(II) IMPRISONMENT FOR LIFE WITHOUT THE POSSIBILITY OF PAROLE; OR

(III) IMPRISONMENT FOR LIFE.

(2) UNLESS A SENTENCE OF DEATH IS IMPOSED IN COMPLIANCE WITH § 2-202 OF THIS SUBTITLE AND SUBTITLE 3 OF THIS TITLE, OR A SENTENCE OF IMPRISONMENT FOR LIFE WITHOUT THE POSSIBILITY OF PAROLE IS IMPOSED IN COMPLIANCE WITH § 2-203 OF THIS SUBTITLE AND § 2-304 OF THIS TITLE, THE SENTENCE SHALL BE IMPRISONMENT FOR LIFE.

REVISOR'S NOTE: This section is new language derived without substantive change from former Art. 27, §§ 407 through 410, the first sentence of § 412(b), and, as it related to imprisonment for life, the second sentence of § 412(b).

In subsection (a)(4)(ii) of this section, the reference to an "outbuilding" is substituted for the former archaic reference to an "outhouse" for clarity.

As to the use of the phrase "parcel to" in subsection (a)(4)(ii)1 of this section, see Revisor's Note to § 6-101(b) of this article.