

(C) (1) AN INMATE WHO VIOLATES THIS SECTION IS GUILTY OF A FELONY AND ON CONVICTION IS SUBJECT TO IMPRISONMENT NOT EXCEEDING 30 YEARS.

~~(2) A SENTENCE IMPOSED UNDER THIS SECTION SHALL RUN CONSECUTIVELY TO THE TERM OF CONFINEMENT THE INMATE IS OBLIGATED TO SERVE AT THE TIME SENTENCE IS IMPOSED.~~

(3) (2) A SENTENCE IMPOSED UNDER THIS SECTION MAY NOT BE SUSPENDED.

SECTION 2. AND BE IT FURTHER ENACTED, That this Act is an emergency measure, is necessary for the immediate preservation of the public health and safety, has been passed by a yea and nay vote supported by three-fifths of all the members elected to each of the two Houses of the General Assembly, and shall take effect from the date it is enacted.

May 26, 1992

The Honorable R. Clayton Mitchell, Jr.  
Speaker of the House of Delegates  
State House  
Annapolis, Maryland 21401

Dear Mr. Speaker:

In accordance with Article II, Section 17 of the Maryland Constitution, I have today vetoed House Bill 473.

This bill would clarify the determination to be made by a court or jury in deciding whether to impose a sentence of death.

Senate Bill 318, which was passed by the General Assembly and signed by me on May 12, 1992, accomplishes the same purpose. Therefore, it is not necessary for me to sign House Bill 473.

Sincerely,  
William Donald Schaefer  
Governor

**House Bill No. 473**

AN ACT concerning

**Death Penalty - Aggravating and Mitigating Circumstances**

FOR the purpose of clarifying that a person may not be sentenced to death unless certain aggravating circumstances outweigh certain mitigating circumstances; clarifying that the sentencing determination of a court or jury must state specifically whether the aggravating circumstances outweigh the mitigating circumstances; clarifying that the