

February 11, 2009

**H 123. DEATH PENALTY/PROPORTIONALITY REVIEW.** Filed 2/11/09. *TO PROVIDE THAT THE SUPREME COURT IN CONDUCTING THE PROPORTIONALITY REVIEW REQUIRED BY LAW SHALL CONSIDER NOT ONLY THOSE CAPITAL CASES IN WHICH THE DEATH PENALTY WAS IMPOSED BUT ALSO FACTUALLY SIMILAR CASES IN WHICH THE SENTENCE OF LIFE IMPRISONMENT WAS IMPOSED.*

Amends GS 15A-2000(d) as the title indicates. Directs that the reported life imprisonment cases compared by the Supreme Court be limited to those in which the jury recommended life imprisonment on or after the effective date of this proposed act.

Provides that this act is effective when it becomes law and applies to all capital cases not yet decided by the Supreme Court on direct appeal.

**Intro. by Glazier.**

GS 15A