

HB 894 -- TRIAL PROCEDURES FOR FIRST DEGREE MURDER

SPONSOR: Davis

Currently, in a criminal prosecution for murder in the first degree, the court must instruct the jury that, in the event it cannot reach a consensus on punishment, the court will assess punishment, including death. This bill removes death as an option for punishment when the court assesses the punishment. Instead, the punishment will be life imprisonment without eligibility for probation, parole, or release except by act of the Governor. For a defendant whose punishment was assessed prior to August 28, 2025, by a judge after the jury was unable to reach a unanimous decision on punishment, the court must resentence such defendant, after motion to the sentencing court or the circuit court of the county in which the defendant is incarcerated, to life imprisonment without eligibility for probation, parole, or release, except by act of the Governor.

This bill is the same as HB 2427 (2024).