

1 **SECTION 1.** Notwithstanding the provisions of G.S. 15-194, or any other
2 provision of State law, the Secretary of Correction shall not set any date prior to June 1,
3 2005, for the execution for any person that has been sentenced to death under State law.

4 **SECTION 2.** The General Assembly or its designees shall conduct a study
5 to examine issues regarding the imposition of a death sentence under North Carolina
6 law, including:

7 (1) The adequacy of counsel in all stages of capital cases, and the
8 sufficiency of guidelines for the appointment and performance of such
9 counsel.

10 (2) The process for judicial review of the merits of constitutional claims in
11 State postconviction and federal habeas corpus proceedings.

12 (3) Any disproportionate racial impact from any aspect of capital case
13 processing.

14 (4) Whether there is discrimination in capital sentencing on the basis of
15 the victim's or the defendant's race.

16 (5) Prosecutorial misconduct as a factor in the imposition of the death
17 penalty.

18 (6) The presence of innocent persons on death row.

19 (7) Any other appropriate or relevant subject.

20 **SECTION 3.** This act is effective when it becomes law.