

Subsection (b) presently appears as Art. 51, §10(f). It appears here because it deals with records.

The last sentence of Art. 51, §10(f) has been placed with the other penalty provision in §8-401(d).

The only other changes made are in style.

SUBTITLE 3. PETIT JURIES.

SEC. 8-301. PEREMPTORY CHALLENGES; NUMBER.

(A) CASES INVOLVING DEATH, LIFE IMPRISONMENT, OR 20 YEARS OR MORE.

IN A TRIAL IN WHICH THE DEFENDANT IS SUBJECT, ON ANY SINGLE COUNT, TO A SENTENCE OF DEATH, LIFE IMPRISONMENT, OR 20 YEARS OR MORE OF IMPRISONMENT, EXCEPT FOR COMMON LAW OFFENSES FOR WHICH NO SPECIFIC PENALTY IS PROVIDED BY STATUTE, EACH DEFENDANT IS PERMITTED 20 PEREMPTORY CHALLENGES AND THE STATE IS PERMITTED TEN PEREMPTORY CHALLENGES FOR EACH DEFENDANT.

(B) ALL OTHER CASES.

IN ALL OTHER CASES, EACH PARTY IS PERMITTED FOUR PEREMPTORY CHALLENGES; ALL DEFENDANTS ARE CONSIDERED A SINGLE PARTY FOR THIS PURPOSE.

(1) IF IT APPEARS THAT THE TRIAL INVOLVES TWO OR MORE DEFENDANTS HAVING ADVERSE OR HOSTILE INTEREST, THE COURT MAY ALLOW ADDITIONAL PEREMPTORY CHALLENGES;

(2) NO DEFENDANT SHALL BE ALLOWED MORE THAN FOUR PEREMPTORY CHALLENGES.

(C) CLERK TO FURNISH SUFFICIENT NUMBER OF NAMES.

THE CLERK OF THE COURT SHALL PROVIDE A SUFFICIENT NUMBER OF PROSPECTIVE JURORS TO ALLOW THE PARTIES TO EXERCISE THE PEREMPTORY CHALLENGES PERMITTED BY THIS SECTION OR RULE 746.

REVISOR'S NOTE: This section supersedes Art. 51, §15. Sec. 8-301 is new language derived from Rule 746. There is no intention to impliedly supersede Rule 746.