

(2) In determining the jurisdiction of the court under subsections (a)(2), (3), (4) and (5) of this section, the age at the time the petition is filed is controlling.

(3) In any case within subsection (a)(7) of this section, the defendant shall have the right to elect to be tried in either the juvenile court or in the criminal court, according to the usual criminal procedure.

SEC. 2. *And be it further enacted*, That this Act is hereby declared to be an emergency measure and necessary for the immediate preservation of the public health and safety and having been passed by a ye and nay vote supported by three-fifths of all the members elected to each of the two Houses of the General Assembly, the same shall take effect from the date of its passage.

Approved May 21, 1970.

CHAPTER 731

(House Bill 962)

AN ACT to repeal and re-enact, with amendments, Sections 39-O and 39-Q of Article 53 of the Annotated Code of Maryland (1968 Replacement Volume), title "Landlord and Tenant," subtitle "Distress for Rent," subheading "Landlord Complaint Procedure," AND TO REPEAL AND RE-ENACT, WITH AMENDMENTS, SECTION 9-3 OF ARTICLE 9 OF THE CODE OF PUBLIC LOCAL LAWS OF BALTIMORE CITY (1969 EDITION, BEING ARTICLE 4 OF THE CODE OF PUBLIC LOCAL LAWS OF MARYLAND), TITLE "BALTIMORE CITY," SUBTITLE "LANDLORD AND TENANT," to increase the number of days between the filing of the complaint for repossession and the trial on the complaint, and, IN BALTIMORE CITY ONLY, to allow the tenant additional time to comply with a judgment entered against him prior to the landlord being able to regain possession of the premises.

SECTION 1. *Be it enacted by the General Assembly of Maryland*, That Sections 39-O and 39-Q of Article 53 of the Annotated Code of Maryland (1968 Replacement Volume), title "Landlord and Tenant," subtitle "Distress for Rent," subheading "Landlord Complaint Procedure," be and they are hereby repealed and re-enacted, with amendments, to read as follows:

39-O.

Whenever any lessor shall desire to have again and repossess any premises to which he is entitled under the provisions of Sec. 39N, he or his duly qualified agent or attorney, shall make his written complaint under oath or affirmation, before any justice of the peace of the county or city wherein such property is situated, and describing therein in general terms the property sought to be had again and repossessed as aforesaid, and also setting forth the name of the tenant to whom the same is rented, or his assignee