

In subsection (b) the reference to particular laws is substituted for a general reference to Articles 14B, 66C, and 66 1/2, for the purpose of clarity.

The only other changes made are in style.

SEC. 3-816. WAIVER OF JUVENILE JURISDICTION; FACTORS TO BE CONSIDERED.

(A) IN GENERAL.

AFTER A PETITION ALLEGING DELINQUENCY IS FILED AND BEFORE THE ADJUDICATORY HEARING, BUT AFTER THE NOTICE PRESCRIBED BY THE MARYLAND RULES, THE COURT MAY HOLD A WAIVER HEARING AND WAIVE THE EXCLUSIVE JURISDICTION CONFERRED BY §3-804.

(B) LIMITATIONS ON WAIVER.

ANYTHING TO THE CONTRARY NOTWITHSTANDING, JURISDICTION MAY ONLY BE WAIVED ON:

(1) A CHILD 14 YEARS OLD OR OLDER; OR

(2) A CHILD WHO HAS NOT REACHED HIS 14TH BIRTHDAY, AND WHO IS CHARGED WITH COMMITTING AN ACT WHICH, IF COMMITTED BY AN ADULT, WOULD BE PUNISHABLE BY DEATH OR LIFE IMPRISONMENT.

(C) FACTORS TO BE CONSIDERED.

IN MAKING A DETERMINATION AS TO WAIVER OF JURISDICTION THE COURT SHALL CONSIDER THE FOLLOWING:

(1) AGE OF CHILD;

(2) MENTAL AND PHYSICAL CONDITION OF CHILD;

(3) THE CHILD'S AMENABILITY TO TREATMENT IN ANY INSTITUTION, FACILITY, OR PROGRAM AVAILABLE TO DELINQUENTS;

(4) THE NATURE OF THE OFFENSE; AND

(5) THE PUBLIC SAFETY.

(D) COURT MAY REQUEST STUDY.

FOR THE PURPOSE OF MAKING ITS DETERMINATION, THE