

FOR the purpose of providing that a defendant in a criminal case is not entitled to a jury trial under certain circumstances; permitting the presiding judge of the District Court to deny a defendant a jury trial under certain circumstances; correcting errors; and clarifying language.

BY repealing and reenacting, with amendments,

Article - Courts and Judicial Proceedings
Section 4-302
Annotated Code of Maryland
(1980 Replacement Volume and 1980 Supplement)

SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND, That section(s) of the Annotated Code of Maryland be repealed, amended, or enacted to read as follows:

Article - Courts and Judicial Proceedings

4-302.

(a) Except as provided in [§ 4-301 (2)] § 4-301(B)(2) OF THIS SUBTITLE, the District Court does not have jurisdiction to try a criminal case charging the commission of a felony.

(b) Except as provided in § 4-303 OF THIS SUBTITLE, the District Court does not have criminal jurisdiction to try a case in which a juvenile court has exclusive original jurisdiction.

(c) The jurisdiction of the District Court is concurrent with that of the circuit court in a criminal case:

(1) In which the penalty may be confinement for three years or more or a fine of \$2,500 or more; or

(2) Which is a felony, [referred to in Section 4-301(b)] AS PROVIDED IN § 4-301(B)(2) OF THIS SUBTITLE.

(d) (1) The District Court is deprived of jurisdiction if a defendant is entitled to and demands a jury trial at any time prior to trial in the District Court.

(2) [A defendant may demand a jury trial in a criminal case if the penalty for the offense with which he is charged permits imprisonment for a period in excess of 90 days; the State may not demand a jury trial.]

(I) EXCEPT AS PROVIDED IN SUBPARAGRAPH (II) OF THIS PARAGRAPH, UNLESS THE PENALTY FOR THE OFFENSE WITH WHICH THE DEFENDANT IS CHARGED PERMITS IMPRISONMENT FOR A PERIOD IN EXCESS OF 90 DAYS, A DEFENDANT IS NOT ENTITLED TO A JURY TRIAL IN A CRIMINAL CASE.