

~~(2) IF AN ACT DESCRIBED IN SUBSECTION (A) OF THIS SECTION IS TAKEN IN CONNECTION WITH A PROCEEDING INVOLVING A FELONY, INCLUDING AN ATTEMPT, CONSPIRACY, OR SOLICITATION TO COMMIT A FELONY, A PERSON WHO VIOLATES THIS SECTION IS GUILTY OF A FELONY AND ON CONVICTION IS SUBJECT TO IMPRISONMENT NOT EXCEEDING 20 YEARS.~~

~~(D) A SENTENCE IMPOSED UNDER THIS SECTION MAY BE SEPARATE FROM AND CONSECUTIVE TO OR CONCURRENT WITH A SENTENCE FOR ANY CRIME BASED ON THE ACT ESTABLISHING THE VIOLATION OF THIS SECTION.~~

Article - Courts and Judicial Proceedings

~~3-8A-03.~~

~~(d) The court does not have jurisdiction over:~~

~~(4) A child at least 16 years old alleged to have committed any of the following crimes, as well as all other charges against the child arising out of the same incident, unless an order removing the proceeding to the court has been filed under § 4-202 of the Criminal Procedure Article:~~

~~(xvi) Attempted robbery under § 3-403 of the Criminal Law Article; [or]~~

~~(xvii) A violation of § 4-203, § 4-204, § 4-404, or § 4-405 of the Criminal Law Article; OR~~

~~(XVIII) A VIOLATION OF § 9-302, § 9-303, OR § 9-305 OF THE CRIMINAL LAW ARTICLE;~~

~~10-901.~~

~~(A) A STATEMENT AS DEFINED IN MARYLAND RULE 5-801(A) IS NOT EXCLUDED BY THE HEARSAY RULE IF THE STATEMENT IS OFFERED AGAINST A PARTY THAT HAS ENGAGED OR ACQUIESCED IN, DIRECTED, OR CONSENTED TO WRONGDOING THAT WAS INTENDED TO AND DID PROCURE THE UNAVAILABILITY OF THE WITNESS AS DEFINED IN MARYLAND RULE 5-804 WHO WAS THE DECLARANT OF THE STATEMENT.~~

~~(B) THE COURT SHALL DETERMINE THE ADMISSIBILITY OF A STATEMENT UNDER THIS SECTION:~~

~~(1) BY CLEAR AND CONVINCING EVIDENCE; AND~~

~~(2) IN THE MANNER PROVIDED IN THE MARYLAND RULES.~~

~~(C) A STATEMENT MAY NOT BE ADMITTED UNDER THIS SECTION UNLESS, AS SOON AS IS PRACTICABLE AFTER THE PROPONENT OF THE STATEMENT LEARNS THAT THE DECLARANT WILL BE UNAVAILABLE, THE PROPONENT MAKES KNOWN TO THE ADVERSE PARTY THE INTENTION TO OFFER THE STATEMENT AND THE PARTICULARS OF IT.~~