

AN ACT concerning

Juries - Peremptory Challenges

FOR the purpose of clarifying the type of cases in which a party may exercise a certain number of peremptory challenges of jurors to be impanelled.

BY repealing and reenacting, with amendments,

Article - Courts and Judicial Proceedings
Section 8-301
Annotated Code of Maryland
(1984 Replacement Volume and 1988 Supplement)

SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND, That the Laws of Maryland read as follows:

Article - Courts and Judicial Proceedings

8-301.

(a) In a trial in which the defendant is subject, on any single count, to a sentence of death because notice of intention to seek a sentence of death has been given under Article 27, § 412 of the Code, each defendant is permitted 20 peremptory challenges and the State is permitted 10 peremptory challenges for each defendant.

(b) In a criminal trial in which the defendant is subject, on any single count, to a sentence of life imprisonment, including a case in which notice of intention to seek a sentence of death has not been given under Article 27, § 412 of the Code, 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 10 peremptory challenges for each defendant.

(c) Except as provided in subsections (a) and (b) of this section, in a criminal trial in which the defendant is subject, on any single count, to a sentence of 20 years or more, except for common law offenses for which no specific penalty is provided by statute, each defendant is permitted 10 peremptory challenges and the State is permitted 5 peremptory challenges for each defendant.

(d) In all other CRIMINAL cases, each party is permitted 4 peremptory challenges.