

35.260 Number of votes required for conviction -- Number required for rulings.

- (1) No person shall be convicted of any offense except by the unanimous concurrence of the members present at the time the vote is taken.
- (2) All sentences shall be determined by the unanimous concurrence of the members present at the time the vote is taken.
- (3) All other questions to be decided by the members of a general or special court-martial shall be determined by a majority vote. A tie vote on a challenge shall disqualify the member challenged. A tie vote on a motion for a finding of not guilty or on a motion relating to the question of the accused's sanity shall be a determination against the accused. A tie vote on any other question shall be a determination in favor of the accused.

History: Amended 1970 Ky. Acts ch. 56, sec. 38. -- Created 1954 Ky. Acts ch. 99, sec. 51, effective July 1, 1954.