

(1) MAY NOT MERGE THE MISDEMEANOR IN THE FELONY; BUT

(2) MAY CONTAIN COUNTS FOR THE FELONY AND FOR THE MISDEMEANOR.

REVISOR'S NOTE: This section is new language derived without substantive change from former Art. 27, § 607.

The reference to "crime" is substituted for the former reference to an "offense" to conform to the terminology used throughout this article.

The defined term "charging document" is substituted for the former reference to "indictment" to conform to terminology used throughout this article.

Defined term: "Charging document" § 1-101

4-105. NAMING OF TWO OR MORE PERSONS WITH LIKE INTERESTS IN CHARGING DOCUMENT.

(A) PARTNERS, JOINT TENANTS, HEIRS, TENANTS IN COMMON, OR TRUSTEES.

IN SPEAKING OF ANY PARTNERS, JOINT TENANTS, HEIRS, TENANTS IN COMMON, OR TRUSTEES, A CHARGING DOCUMENT MAY NAME ANY ONE OF THEM AND SPEAK OF THEM AS THE NAMED PERSON AND ANOTHER OR OTHERS, AS THE CASE MAY BE.

(B) OWNERS OR POSSESSORS OF PROPERTY.

IN STATING THE OWNERSHIP OR POSSESSION OF REAL OR PERSONAL PROPERTY OWNED OR POSSESSED BY TWO OR MORE PERSONS, A CHARGING DOCUMENT MAY NAME ONE OF THE PERSONS AND LAY THE OWNERSHIP OR POSSESSION IN THE NAMED PERSON AND ANOTHER OR OTHERS, AS THE CASE MAY BE.

REVISOR'S NOTE: This section is new language derived without substantive change from former Art. 27, § 605.

The defined term "charging document" is substituted for the former reference to "indictment" to conform to terminology used throughout this article.

In subsection (a) of this section, the reference to a charging document that may name "partners, joint tenants, heirs, tenants in common, or trustees" is substituted for the former reference to "in the manner aforesaid" for clarity.

Also in subsection (a) of this section, the reference to "heirs" is substituted for the former obscure reference to "parceners".

In subsection (b) of this section, the former reference to "partners in trade, joint tenants, parceners, tenants in common or trustees" is deleted in light of the definition of "person" in § 1-101 of this article.