

35.260 Number of votes required.

- (1) No person may be convicted of an offense except as provided in KRS 35.225(2) or by the concurrence of two-thirds (2/3) of the members present at the time the vote is taken.
- (2) All other questions to be decided by the members of a general or special court-martial shall be determined by a majority vote, but a determination to reconsider a finding of guilty or to reconsider a sentence, with a view toward decreasing it, may be made by any lesser vote which indicates that the reconsideration is not opposed by the number of votes required for that finding or sentence. A tie vote on a challenge disqualifies the member challenged. A tie vote on a motion relating to the question of the accused's sanity is a determination against the accused. A tie vote on any other question shall be a determination in favor of the accused.

Effective: June 25, 2013

History: Amended 2013 Ky. Acts ch. 32, sec. 54, effective June 25, 2013. -- Amended 1970 Ky. Acts ch. 56, sec. 38. -- Created 1954 Ky. Acts ch. 99, sec. 51, effective July 1, 1954.