

## CHAPTER 453—S.F.No.903

*An act relating to courts; jury trials; number of jurors; challenges; amending Minnesota Statutes 1971, Sections 546.10 and 631.27.*

Be it enacted by the Legislature of the State of Minnesota:

Section 1. Minnesota Statutes 1971, Section 546.10, is amended to read:

**546.10 COURTS; JURY TRIALS; NUMBER OF JURORS; CHALLENGES.** In any civil action or proceeding either party may challenge the panel, or individual jurors thereon, for the same causes and in the same manner as in criminal trials, except that the number of peremptory challenges to be allowed on either side shall be as provided in this section. Before challenging a juror, either party may examine him in reference to his qualifications to sit as a juror in the cause. A sufficient number of jurors shall be called in the action so that ~~12 shall remain for a jury of 12 and six shall remain for a jury of six~~ after the exercise of the peremptory challenges, as provided in this section and section 546.09, and to provide alternate jurors when ordered by the court under the provisions of section 546.095. Each party shall be entitled to ~~three peremptory challenges when the jury is composed of 12 persons and two peremptory challenges when the jury is composed of six persons~~, which shall be made alternately beginning with the defendant. The parties to the action shall be deemed two, all plaintiffs being one party, and all defendants being the other party, except, in case two or more defendants have adverse interests, the court, if satisfied that the due protection of their interests so requires, may allow the defendant or defendants on each side of the adverse interests not to exceed ~~three peremptory challenges when the jury is composed of 12 persons and two peremptory challenges when the jury is composed of six persons~~. When the peremptory challenges have been exhausted or declined, ~~the first 12 of the remaining jurors when the jury is composed of 12 persons and the first six of the remaining jurors shall constitute the jury.~~

Sec. 2. Minnesota Statutes 1971, Section 631.27, is amended to read:

**631.27 PEREMPTORY CHALLENGE.** A peremptory challenge can be taken either by the state or the defendant, and may be oral. It is an objection to a juror for which no reason need be given, but upon which the court shall exclude him. If the offense charged be punishable by imprisonment in the state prison for life, the state shall be entitled to ten, and the defendant to 20, peremptory

Changes or additions indicated by underline, deletions by ~~strikeout~~.

challenges. On a trial for any other offense, including a misdemeanor tried before a jury of six persons, the state shall be entitled to three, and the defendant to five, peremptory challenges.

Approved May 21, 1973.

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#### CHAPTER 454—S.F.No.979

*An act relating to consumer protection; unlawful practices in general; amending Minnesota Statutes 1971, Section 325.79, Subdivision 1.*

Be it enacted by the Legislature of the State of Minnesota:

Section 1. Minnesota Statutes 1971, Section 325.79, Subdivision 1, is amended to read:

**325.79 CONSUMER PROTECTION; UNLAWFUL PRACTICES.** Subdivision 1. **FRAUD, MISREPRESENTATION, MAIL CONTESTS.** The act, use, or employment by any person of any fraud, false pretense, false promise, misrepresentation, misleading statement or deceptive practice, with the intent that others rely thereon in connection with the sale of any goods or services merchandise, whether or not any person has in fact been misled, deceived, or damaged thereby, is enjoined as provided herein.

Approved May 21, 1973.

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#### CHAPTER 455—S.F.No.992

*An act relating to taxation; providing for an exception to the application of tax in certain cases of cigarettes stored or used in Minnesota; amending Minnesota Statutes 1971, Section 297.22, Subdivision 3.*

Be it enacted by the Legislature of the State of Minnesota:

Changes or additions indicated by underline, deletions by ~~strikeout~~.