

HOUSE BILL 73

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9lr0607
CF 9lr1752

By: **Delegates Moon, Acevero, Atterbeary, Barron, Charkoudian, Hettleman, Korman, Lierman, Stewart, Sydnor, and Wilkins**

Introduced and read first time: January 17, 2019

Assigned to: Judiciary

A BILL ENTITLED

1 AN ACT concerning

2 **Jury Service – Qualification Criteria – Criminal Conviction or Charge**

3 FOR the purpose of increasing the minimum length of time of a certain criminal sentence
4 or potential sentence that disqualifies an individual from jury service; making
5 conforming changes; and generally relating to jury service qualifications.

6 BY repealing and reenacting, with amendments,

7 Article – Courts and Judicial Proceedings

8 Section 8–103 and 8–302

9 Annotated Code of Maryland

10 (2013 Replacement Volume and 2018 Supplement)

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

13 **Article – Courts and Judicial Proceedings**

14 8–103.

15 (a) Notwithstanding § 8–102 of this subtitle, an individual qualifies for jury
16 service for a county only if the individual:

17 (1) Is an adult as of the day selected as a prospective juror;

18 (2) Is a citizen of the United States; and

19 (3) Resides in the county as of the day sworn as a juror.

20 (b) Notwithstanding subsection (a) of this section and subject to the federal
21 Americans with Disabilities Act, an individual is not qualified for jury service if the

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



1 individual:

2 (1) Cannot comprehend spoken English or speak English;

3 (2) Cannot comprehend written English, read English, or write English
4 proficiently enough to complete a juror qualification form satisfactorily;

5 (3) Has a disability that, as documented by a health care provider's
6 certification, prevents the individual from providing satisfactory jury service;

7 (4) Has been convicted, in a federal or State court of record, of a crime
8 punishable by imprisonment exceeding [6 months] **1 YEAR** and received a sentence of
9 imprisonment for more than [6 months] **1 YEAR**; or

10 (5) Has a charge pending, in a federal or State court of record, for a crime
11 punishable by imprisonment exceeding [6 months] **1 YEAR**.

12 (c) An individual qualifies for jury service notwithstanding a disqualifying
13 conviction under subsection (b)(4) of this section if the individual is pardoned.

14 8-302.

15 (a) In accordance with an agreement, if any, under § 8-213 of this title, a juror
16 qualification form in substantially the following form shall be provided to each prospective
17 juror:

18 Juror Qualification Form

19 Name:

20 Resident address:

21 Telephone: (home) _____ (work) _____ (cellular) _____

22 Age: _____ Date of Birth: _____

23 If you are over 70 years of age, do you wish to be exempted from jury services?
24 _____ Yes _____ No

25 U.S. Citizen? _____ Yes _____ No

26 Able to comprehend, read, speak, and write English? _____ Yes _____ No

27 Highest level of education completed:

28 _____ high school _____ college _____ graduate school _____ other

1 Occupation of prospective juror: _____

2 Name of employer: _____

3 Occupation of spouse, if any: _____

4 Disability preventing satisfactory jury service? ____Yes ____No

5 Do you want an accommodation under the federal Americans with Disabilities Act?

6 ____Yes ____No

7 Pending charge for a crime punishable by imprisonment exceeding [6 months] **1**

8 **YEAR?** ____Yes ____No

9 Conviction of crime punishable by imprisonment exceeding [6 months] **1 YEAR** and

10 received a sentence of imprisonment for more than [6 months] **1 YEAR** and not

11 legally pardoned? ____Yes ____No

12 Date of Conviction _____

13 ____Elected official of the federal Legislative Branch, as defined in 2 U.S.C. § 30a.

14 ____Active duty member of armed forces exempted in accordance with 10 U.S.C. §

15 982.

16 ____Member of Maryland’s organized militia exempted in accordance with Public

17 Safety Article § 13–218.

18 Prior jury service within 3 preceding years: _____

19 Form completed by me ____ Another (name) ____ and, if another, why?

20 Under the penalties of perjury, the responses are true to the best of my knowledge

21 Signed:_____

22 Prospective Juror

23 Individual completing form for prospective juror:

24 This form must be completed, signed, and returned to the jury commissioner within 10 days
25 after receipt. Documentation for excusal due to disability, exemption based on armed forces
26 or militia service, pardons, and/or prior jury service must be attached.

27 (b) A juror qualification form for a county may include other questions as the
28 county’s jury plan requires.

1 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
2 October 1, 2019.