

Department of Legislative Services
Maryland General Assembly
2021 Session

FISCAL AND POLICY NOTE
Third Reader

House Bill 260
Judiciary

(Delegate W. Fisher)

Judicial Proceedings

Courts - Jury Service - Disqualification

This bill alters the circumstances under which an individual may be disqualified from jury service. The bill repeals provisions that disqualify individuals who have previously received a sentence of imprisonment for more than one year or who have pending charges for crimes that are punishable by imprisonment for more than one year. Instead, an individual is not qualified for jury service if the individual has been convicted of a felony and is currently serving the sentence imposed for the conviction, including any term of probation.

Fiscal Summary

State Effect: The bill does not materially affect the workload of the Judiciary or the Office of the Public Defender (OPD).

Local Effect: The bill does not materially affect the workload of the circuit courts or State's Attorneys' offices.

Small Business Effect: None.

Analysis

Current Law: Each adult citizen of the State has both the opportunity for jury service and, when summoned, the duty to serve. However, an individual is not qualified for jury service in specified circumstances, including if the individual (1) has been convicted, in a federal or State court, of a crime punishable by imprisonment exceeding one year and received a sentence of imprisonment for more than one year or (2) has a charge pending in

a federal or State court for a crime punishable by imprisonment exceeding one year. An individual with a disqualifying conviction who has been pardoned qualifies for jury service.

State/Local Fiscal Effect: Although the bill increases the number of prospective jurors in the State, potentially making the process of summoning jurors and selecting a jury more efficient, any such impact does not materially affect the workload of the Judiciary, the circuit courts, OPD, or State's Attorneys' offices.

Additional Information

Prior Introductions: HB 1213 of 2020 passed the House and was referred to the Senate Judicial Proceedings Committee, but no further action was taken. SB 921 of 2020 received a hearing in the Senate Judicial Proceedings Committee, but no further action was taken.

Designated Cross File: SB 625 (Senator Carter) - Judicial Proceedings.

Information Source(s): Judiciary (Administrative Office of the Courts); Office of the Public Defender; Maryland State's Attorneys' Association; Department of Legislative Services

Fiscal Note History: First Reader - January 17, 2021
rh/jkb Third Reader - March 16, 2021

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