

Department of Legislative Services
Maryland General Assembly
2024 Session

FISCAL AND POLICY NOTE
Third Reader - Revised

Senate Bill 34

(Senator Carter)

Judicial Proceedings

Judiciary

Courts - Jury Service - Disqualification

This bill alters the circumstances under which an individual is disqualified from jury service. The bill repeals a provision that disqualifies an individual who has previously received a sentence of imprisonment for more than one year. Instead, an individual is not qualified for jury service if the individual has been convicted of a crime punishable by imprisonment exceeding one year and is *currently serving* the sentence imposed for the conviction, including a term of parole or probation. The bill also disqualifies an individual for jury service if the individual was convicted of a crime involving or related to perjury, witness intimidation, jury intimidation, bribing a public employee (under § 9-201 of the Criminal Law Article), bribing a juror (under § 9-202 of the Criminal Law Article), or a crime under Title 8 of the Criminal Law Article (Fraud and Related Crimes). Finally, the bill repeals a provision providing that an individual with a disqualifying conviction who has been pardoned qualifies for jury service.

Fiscal Summary

State Effect: The bill does not materially affect State operations or finances.

Local Effect: The bill does not materially affect local government operations or finances.

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 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. An individual who has a charge pending in a federal or State court for a crime punishable by imprisonment exceeding one year is also not qualified for jury service. An individual with a disqualifying conviction who has been pardoned qualifies for jury service.

Additional Comments: For more information on the collateral consequences of a criminal conviction, including those that impact jury service, please see this 2021 [report](#).

Additional Information

Recent Prior Introductions: Similar legislation has been introduced within the last three years. See HB 156 and SB 97 of 2023; HB 74 and SB 30 of 2022; and HB 260 and SB 625 of 2021.

Designated Cross File: None.

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 16, 2024
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