

HOUSE BILL 208

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1999 Regular Session  
9r1155  
CF 9r1156

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By: **Chairman, Judiciary Committee (Maryland Judicial Conference)**

Introduced and read first time: February 1, 1999

Assigned to: Judiciary

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Committee Report: Favorable with amendments

House action: Adopted

Read second time: March 2, 1999

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CHAPTER \_\_\_\_\_

1 AN ACT concerning

2 **Juror Information - Dissemination**

3 FOR the purpose of enabling jury commissioners or certain clerks of courts to provide  
4 certain juror information to the State Board of Elections as provided in juror  
5 selection plans; requiring the Board to adopt regulations to ensure the  
6 confidentiality of the information; and generally relating to dissemination of  
7 certain juror information to the State Board of Elections.

8 BY repealing and reenacting, with amendments,  
9 Article - Courts and Judicial Proceedings  
10 Section 8-201 and 8-212  
11 Annotated Code of Maryland  
12 (1998 Replacement Volume)

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

15 **Article - Courts and Judicial Proceedings**

16 8-201.

17 (a) (1) The circuit court of a county shall maintain in operation a written  
18 plan for random selection of grand and petit jurors designed to achieve the objectives  
19 of this title.

20 (2) The Court of Appeals from time to time may adopt rules governing  
21 the provisions and the operation of plans formulated under this title.

1 (b) (1) The plan may provide for an agreement between the circuit court of a  
 2 county and the Administrative Office of the Courts, under which the Administrative  
 3 Office may agree to provide to the circuit court lists of randomly selected prospective  
 4 jurors in the numbers and at the times specified by the circuit court, and from the  
 5 sources specified in this title.

6 (2) The agreement also may provide for mailing juror questionnaires or  
 7 summonses, or both, by the Administrative Office, and for other services pertaining to  
 8 jury selection agreeable to both the circuit court and the Administrative Office.

9 (C) THE PLAN SHALL PROVIDE FOR THE MANNER IN WHICH THE JURY  
 10 COMMISSIONER OR CLERK PROVIDES TO THE STATE BOARD OF ELECTIONS  
 11 INFORMATION DISCLOSABLE TO THE BOARD UNDER § 8-212(C)(2) OF THIS SUBTITLE.  
 12 8-212.

13 (a) After the master jury wheel is emptied and refilled in accordance with §  
 14 8-202(2)(ii) of this subtitle, and after every person selected to serve as a juror before  
 15 the master wheel was emptied has completed [his] THE PERSON'S service, all records  
 16 and papers compiled and maintained by the jury commissioner or clerk before the  
 17 master wheel was emptied shall be preserved in the custody of the clerk or the jury  
 18 commissioner for four years or for a longer period if ordered by the circuit court of a  
 19 county.

20 (b) Until the master jury wheel has been emptied and refilled in accordance  
 21 with § 8-202(2) of this subtitle and every person who is selected to serve as a juror  
 22 before the master wheel was emptied has completed [his] THE PERSON'S service, the  
 23 contents of any records or papers used by the jury commissioner or clerk in connection  
 24 with the jury selection process may not be disclosed, except as PROVIDED IN  
 25 SUBSECTION (C) OF THIS SECTION.

26 (C) (1) THE CONTENTS OF RECORDS OR PAPERS MAY BE DISCLOSED AS  
 27 necessary for the support of a motion filed under § 8-211(a), (b), or (c) of this  
 28 subtitle. The] BY THE parties in a case, WHO may inspect and copy these records or  
 29 papers at any reasonable time during the pendency of the motion upon a showing that  
 30 the inspection and copying is necessary to prepare for a hearing on the motion.

31 (2) (I) SUBJECT TO SUBPARAGRAPH (II) OF THIS PARAGRAPH, A JURY  
 32 COMMISSIONER OR CLERK MAY DISCLOSE TO THE STATE BOARD OF ELECTIONS  
 33 INFORMATION PROVIDED BY OR FOR A PROSPECTIVE JUROR THAT INDICATES THAT  
 34 THE PROSPECTIVE JUROR:

- 35 1. MOVED OUTSIDE THE COUNTY WHERE THE CIRCUIT  
 36 COURT IS LOCATED;
- 37 2. IS NOT A CITIZEN; OR
- 38 3. DIED; ~~OR~~
- 39 4. ~~WAS CONVICTED OF A CRIME.~~

1                   (II)     A DISCLOSURE UNDER SUBPARAGRAPH (I) OF THIS PARAGRAPH  
2 SHALL BE MADE ONLY AT THE TIMES AND IN THE MANNER PROVIDED IN THE  
3 APPLICABLE JUROR SELECTION PLAN AND IN ACCORDANCE WITH REGULATIONS  
4 ADOPTED BY THE STATE BOARD OF ELECTIONS TO ENSURE THE CONFIDENTIALITY  
5 OF THE INFORMATION THAT THE BOARD RECEIVES.

6     SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect  
7 October 1, 1999.