

SENATE BILL 278

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1999 Regular Session
(9lr1156)

ENROLLED BILL
-- Judicial Proceedings/Judiciary --

Introduced by **Chairman, Judicial Proceedings Committee (Maryland
Judicial Conference)**

Read and Examined by Proofreaders:

Proofreader.

Proofreader.

Sealed with the Great Seal and presented to the Governor, for his approval this
____ day of _____ at _____ o'clock, ____ M.

President.

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:

1 **Article - Courts and Judicial Proceedings**

2 8-201.

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

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

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

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

16 (C) THE PLAN SHALL PROVIDE FOR THE MANNER IN WHICH THE JURY
17 COMMISSIONER OR CLERK PROVIDES TO THE STATE BOARD OF ELECTIONS
18 INFORMATION DISCLOSABLE TO THE BOARD UNDER § 8-212(C)(2) OF THIS SUBTITLE.
19 8-212.

20 (a) After the master jury wheel is emptied and refilled in accordance with §
21 8-202(2)(ii) of this subtitle, and after every person selected to serve as a juror before
22 the master wheel was emptied has completed [his] THE PERSON'S service, all records
23 and papers compiled and maintained by the jury commissioner or clerk before the
24 master wheel was emptied shall be preserved in the custody of the clerk or the jury
25 commissioner for four years or for a longer period if ordered by the circuit court of a
26 county.

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

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

38 (2) (I) SUBJECT TO SUBPARAGRAPH (II) OF THIS PARAGRAPH, A JURY
39 COMMISSIONER OR CLERK MAY DISCLOSE TO THE STATE BOARD OF ELECTIONS

1 INFORMATION PROVIDED BY OR FOR A PROSPECTIVE JUROR THAT INDICATES THAT
2 THE PROSPECTIVE JUROR:

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

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

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