

# HOUSE BILL 260

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1lr1288

(PRE-FILED)

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By: **Delegate W. Fisher**

Requested: October 30, 2020

Introduced and read first time: January 13, 2021

Assigned to: Judiciary

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## A BILL ENTITLED

1 AN ACT concerning

2 **Courts – Jury Service – Disqualification**

3 FOR the purpose of altering certain circumstances under which an individual who has been  
4 convicted of a crime is not qualified for jury service; repealing a provision specifying  
5 that an individual is not qualified for jury service if the individual has a certain  
6 charge pending for a certain crime; and generally relating to jury service.

7 BY repealing and reenacting, with amendments,  
8 Article – Courts and Judicial Proceedings  
9 Section 8–103  
10 Annotated Code of Maryland  
11 (2020 Replacement Volume)

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

14 **Article – Courts and Judicial Proceedings**

15 8–103.

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

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

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

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

21 (b) Notwithstanding subsection (a) of this section and subject to the federal

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EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



1 Americans with Disabilities Act, an individual is not qualified for jury service if the  
2 individual:

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

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

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

8 (4) Has been convicted, in a federal or State court of record, of [a crime  
9 punishable by imprisonment exceeding 1 year and received a sentence of imprisonment for  
10 more than 1 year; or

11 (5) Has a charge pending, in a federal or State court of record, for a crime  
12 punishable by imprisonment exceeding 1 year] **A FELONY AND IS CURRENTLY SERVING**  
13 **THE SENTENCE IMPOSED FOR THE CONVICTION, INCLUDING ANY TERM OF**  
14 **PROBATION.**

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

17 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect  
18 October 1, 2021.