

HOUSE BILL 74

D1
HB 260/21 – JUD

(PRE-FILED)

2lr1152
CF 2lr1151

By: **Delegate W. Fisher**

Requested: November 1, 2021

Introduced and read first time: January 12, 2022

Assigned to: Judiciary

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; and generally relating to jury
5 service.

6 BY repealing and reenacting, with amendments,
7 Article – Courts and Judicial Proceedings
8 Section 8–103
9 Annotated Code of Maryland
10 (2020 Replacement Volume and 2021 Supplement)

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

13 **Article – Courts and Judicial Proceedings**

14 8–103.

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

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

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

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

20 (b) Notwithstanding subsection (a) of this section and subject to the federal
21 Americans with Disabilities Act, an individual is not qualified for jury service if the

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



1 individual:

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

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

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

7 (4) Has been convicted, in a federal or State court of record, of a crime
8 punishable by imprisonment exceeding 1 year and [received a sentence of imprisonment
9 for more than 1 year] **IS CURRENTLY SERVING THE SENTENCE IMPOSED FOR THE**
10 **CONVICTION, INCLUDING A TERM OF PROBATION;** 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.

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

15 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
16 October 1, 2022.