

House Bill 1484

By: Representatives Bordeaux of the 125<sup>th</sup> and Campbell of the 39<sup>th</sup>

A BILL TO BE ENTITLED  
AN ACT

1 To amend Article 5 of Chapter 12 of Title 15 of the Official Code of Georgia Annotated,  
2 relating to trial juries, so as to change provisions relating to the challenges for cause; to  
3 change provisions relating to challenges for cause in civil cases; to change provisions relating  
4 to questions on voir dire and setting aside juror for cause; to provide for related matters; to  
5 repeal conflicting laws; and for other purposes.

6 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

7 **SECTION 1.**

8 Article 5 of Chapter 12 of Title 15 of the Official Code of Georgia Annotated, relating to trial  
9 juries, is amended by striking Code Section 15-12-134, relating to challenge of juror in civil  
10 case for desire or expression of opinion as to which party shall prevail and the hearing for  
11 the challenge, and inserting in lieu thereof the following:

12 "15-12-134.

13 In all civil cases it shall be good cause of challenge that a juror has expressed an opinion  
14 as to which party ought to prevail or that he or she has a wish or desire as to which shall  
15 succeed. It shall also be good cause of challenge that a juror has had a confidential  
16 relationship with a party to the extent that admissions and communications between them  
17 would be excluded on grounds of public policy as recognized in Code Section 24-9-21,  
18 24-9-22, or 24-9-24. Upon challenge made by either party upon either any of these  
19 grounds, it shall be the duty of the court to hear the competent evidence respecting the  
20 challenge as shall be submitted by either party, the juror being a competent witness. The  
21 court shall determine the challenge according to the opinion it entertains of the evidence  
22 adduced thereon."

**SECTION 2.**

Said article is further amended by striking subsection (b) of Code Section 15-12-163, relating to challenges for cause, hearing of evidence, and when objections may be made, and inserting in lieu thereof the following:

"(b) The state or the accused may make any of the following objections to the juror:

(1) That the juror is not a citizen, resident in the county;

(2) That the juror is under 18 years of age;

(3) That the juror is incompetent to serve because of mental illness or mental retardation, or that the juror is intoxicated;

(4) That the juror is so near of kin to the prosecutor, the accused, or the victim as to disqualify the juror by law from serving on the jury;

(5) That the juror has been convicted of a felony in a federal court or any court of a state of the United States and the juror's civil rights have not been restored; ~~or~~

(6) That the juror is unable to communicate in the English language; or

(7) That the juror has been involved in a confidential relationship with the defendant or the state to the extent that admissions and communications between them would be excluded on grounds of public policy as recognized in Code Section 24-9-21, 24-9-22, or 24-9-24."

**SECTION 3.**

All laws and parts of laws in conflict with this Act are repealed.