

House Bill 126

By: Representatives Bearden of the 68<sup>th</sup>, Fleming of the 117<sup>th</sup>, and Butler of the 18<sup>th</sup>

A BILL TO BE ENTITLED  
AN ACT

1 To amend Title 17 of the Official Code of Georgia Annotated, relating to criminal procedure,  
2 so as to provide that a verdict in a felony case, other than a case involving the death penalty,  
3 shall be agreed to by at least 11 of the 12 jurors; to provide that a verdict in a criminal case  
4 in which the death penalty is sought shall be agreed to by all 12 jurors; to provide for related  
5 matters; to provide an effective date; to provide for applicability; to repeal conflicting laws;  
6 and for other purposes.

7 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

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**SECTION 1.**

10 Title 17 of the Official Code of Georgia Annotated, relating to criminal procedure, is  
11 amended by revising Code Section 17-9-21, relating to receipt of verdicts, to read as follows:

12 "17-9-21.

13 (a) Verdicts shall be received only in open court, in the absence of agreement of the  
14 parties.

15 (b) Verdicts in felony cases, except those cases in which the death penalty is sought, shall  
16 be agreed to by at least 11 of the 12 jurors. In cases in which the death penalty is sought,  
17 the verdict shall be agreed to by all 12 of the jurors."

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**SECTION 2.**

19 This Act shall become effective on July 1, 2007, and shall apply to all cases filed on and after  
20 such date.

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**SECTION 3.**

22 All laws and parts of laws in conflict with this Act are repealed.