

House Bill 415

By: Representatives Atwood of the 179th, Willard of the 49th, Benfield of the 85th, Lindsey of the 54th, and Maddox of the 127th

A BILL TO BE ENTITLED
AN ACT

1 To amend Titles 15, 16, 21, 40, 45, and 50 of the Official Code of Georgia Annotated,
2 relating to courts, crimes and offenses, elections, motor vehicles and traffic, public officers
3 and employees, and state government, respectively, so as to provide for a modernized and
4 uniform system of compiling, creating, maintaining, and updating jury lists in this state; to
5 provide for a short title; to provide for state-wide compilation and distribution of the
6 state-wide master jury list by the Council of Superior Court Clerks of Georgia; to eliminate
7 forced balancing of county jury pools by race, gender, and ethnicity for the purpose of
8 complying with the United States and Georgia Constitutions and the Unified Appeal process;
9 to modernize terminology in Chapter 12 of Title 15 of the Official Code of Georgia
10 Annotated, relating to juries; to remove nonmechanical procedures relative to selecting
11 persons for jury service; to change eligibility requirements for grand jurors; to provide that
12 the Council of Superior Court Clerks of Georgia assist county boards of jury commissioners
13 with jury matters; to provide for the methodology for county boards of jury commissioners
14 to obtain county master jury lists; to prohibit public disclosure of jury source lists except
15 under certain circumstances; to amend the Official Code of Georgia Annotated so as to
16 conform provisions to the new Chapter 12 of Title 15 and correct cross-references; to provide
17 for related matters; to provide for a contingent effective date and applicability; to repeal
18 conflicting laws; and for other purposes.

19 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

20 SECTION 1.

21 This Act shall be known and may be cited as the "Jury Composition Reform Act of 2011."

22 SECTION 2.

23 Title 15 of the Official Code of Georgia Annotated, relating to courts, is amended by revising
24 subsection (d) of Code Section 15-6-50.2, relating to the Council of Superior Court Clerks
25 of Georgia, as follows:

26 "(d) The Council of Superior Court Clerks of Georgia shall be a legal entity and an agency
 27 of the State of Georgia; shall have perpetual existence; may contract; may own property;
 28 may accept funds, grants, and gifts from any public or private source for use in defraying
 29 the expenses of the council; may adopt and use an official seal; may establish a principal
 30 office; may employ such administrative or clerical personnel as may be necessary and
 31 appropriate to fulfill its necessary duties; shall establish, maintain, and revise the state-wide
 32 master jury list as provided in Chapter 12 of this title; shall distribute to the board of jury
 33 commissioners of each county the county master jury list as provided in Chapter 12 of this
 34 title; and shall have other powers, privileges, and duties as may be reasonable and
 35 necessary for the proper fulfillment of its purposes and duties."

36

SECTION 3.

37 Said title is further amended by revising subsection (a) of Code Section 15-6-61, relating to
 38 duties of clerks generally, by striking "and" at the end of paragraph (18), by striking the
 39 period and inserting "; and" at the end of paragraph (19), and by adding a new paragraph to
 40 read as follows:

41 "(20) To keep an automated, computer based jury management system that facilitates the
 42 maintenance of the county master jury list pursuant to the provisions of Chapter 12 of this
 43 title unless this duty is delegated to a jury clerk as provided in subsection (a) of Code
 44 Section 15-12-11 or subsection (b) of Code Section 15-12-23."

45

SECTION 4.

46 Said title is further amended by revising Code Section 15-6-89, relating to additional
 47 remuneration for certain services, as follows:

48 "15-6-89.

49 In addition to the minimum salary provided in Code Section 15-6-88 or any other salary
 50 provided by any applicable general or local law, each clerk of the superior court of any
 51 county who also serves as clerk of a state court, city court, juvenile court, ~~or~~ civil court, or
 52 county board of equalization under any applicable general or local law of this state or who
 53 performs duties pursuant to paragraph (1) of subsection (a) of Code Section ~~15-12-1~~
 54 15-12-1.1 shall receive for his or her services in such other court a salary of not less than
 55 \$323.59 per month, to be paid from the funds of the county. In the event any such court
 56 for which a clerk of the superior court is serving as clerk is abolished, the clerk of the
 57 superior court shall not be entitled to any salary heretofore received for service in such
 58 court."

59 **SECTION 5.**

60 Said title is further amended by revising Code Section 15-12-1, relating to exemptions from
61 jury duty, and by adding a new Code section to read as follows:

62 "15-12-1.

63 As used in this chapter, the term:

64 (1) 'Array' means the body of persons subject to voir dire from which the final jury and
65 alternate jurors are selected.

66 (2) 'Choose' or 'chosen' means the act of randomly selecting potential jurors from the
67 county master jury list in a manner that does not deliberately or systematically exclude
68 identifiable and distinct groups from the venire.

69 (3) 'Clerk' means the clerk of the superior court or a jury clerk if one is appointed
70 pursuant to subsection (a) of Code Section 15-12-11 or subsection (b) of Code Section
71 15-12-23.

72 (4) 'Council' means the Council of Superior Court Clerks of Georgia.

73 (5) 'County master jury list' means a list compiled by the council of names of persons,
74 including their addresses, city of residence, dates of birth, and gender, eligible for jury
75 service.

76 (6) 'Defer' means a postponement of a person's jury service until a later date.

77 (7) 'Excuse' means the grant of a person's request for temporary exemption from jury
78 service.

79 (8) 'Inactivate' means removing a person's name and identifying information who has
80 been identified on the county master jury list as a person who is permanently prevented
81 from being chosen as a trial or grand juror because such person is statutorily ineligible
82 or incompetent to serve as a juror.

83 (9) 'Jury commissioner' means a member of a county board of jury commissioners.

84 (10) 'State-wide master jury list' means a comprehensive master list that identifies every
85 person of this state who can be determined to be prima facie qualified to serve as a juror.

86 (11) 'Venire' means the list of persons summoned to serve as jurors for a particular term
87 of court.

88 15-12-1.1.

89 (a)(1) Any person who shows that he or she will be engaged during his or her term of
90 jury duty in work necessary to the public health, safety, or good order or who shows other
91 good cause why he or she should be exempt from jury duty may ~~be~~ have his or her jury
92 service deferred or excused by the judge of the court to which he or she has been
93 summoned or by some other person who has been duly appointed by order of the chief
94 judge to excuse jurors. Such a person may exercise such authority only after the

95 establishment by court order of guidelines governing excuses. Any order of appointment
96 shall provide that, except for permanently mentally or physically disabled persons, all
97 excuses shall be deferred to a date and time certain within that term or the next
98 succeeding term or shall be deferred as set forth in the court order. It shall be the duty
99 of the court to provide affidavits for the purpose of requesting a deferral of or excusal
100 from jury service pursuant to this subsection.

101 (2) Notwithstanding paragraph (1) of this subsection, any person who is a full-time
102 student at a college, university, vocational school, or other postsecondary school who,
103 during the period of time the student is enrolled and taking classes or exams, requests to
104 be excused or deferred from jury duty shall be excused or deferred from jury duty.

105 (3) Notwithstanding paragraph (1) of this subsection, any person who is the primary
106 caregiver having active care and custody of a child six years of age or younger, who
107 executes an affidavit on a form provided by the court stating that such person is the
108 primary caregiver having active care and custody of a child six years of age or younger
109 and stating that such person has no reasonably available alternative child care, and who
110 requests to be excused or deferred shall be excused or deferred from jury duty. ~~It shall~~
111 ~~be the duty of the court to provide affidavits for the purpose of this paragraph and~~
112 ~~paragraph (4) of this subsection.~~

113 (4) Notwithstanding paragraph (1) of this subsection, any person who is a primary
114 teacher in a home study program as defined in subsection (c) of Code Section 20-2-690
115 who, during the period of time the person is teaching, requests to be excused or deferred
116 from jury duty and executes an affidavit on a form provided by the court stating that such
117 person is the primary teacher in a home study program and stating that such person has
118 no reasonably available alternative for the child or children in the home study program
119 shall be excused or deferred from jury duty.

120 (5) Notwithstanding paragraph (1) of this subsection, any person who is the primary
121 unpaid caregiver for a person over the age of six; who executes an affidavit on a form
122 provided by the court stating that such primary caregiver is responsible for the care of a
123 person with such physical or cognitive limitations that he or she is unable to care for
124 himself or herself and cannot be left unattended and that the primary caregiver has no
125 reasonably available alternative to provide for the care; and who requests to be excused
126 or deferred shall be excused or deferred from jury duty. Any person seeking the
127 exemption shall furnish to the court, in addition to the aforementioned affidavit, a
128 statement of a physician, or other medical provider, supporting the affidavit's statements
129 related to the medical condition of the person with physical or cognitive limitations. ~~It~~
130 ~~shall be the duty of the court to provide affidavits for the purpose of this paragraph.~~

131 (b) Any person who is 70 years of age or older shall be entitled to request that the board
 132 of jury commissioners to remove such person's name from the jury list of excuse such
 133 person from jury service in the county. Upon such request, the board of jury
 134 commissioners shall ~~be authorized and directed to remove the person's name from the jury~~
 135 ~~list~~ inactivate such person. The request for excusal shall be made to the board or its clerk
 136 in writing and shall be accompanied by an affidavit ~~giving~~ providing the person's name,
 137 age, and such other information as the board may require. The board of jury
 138 commissioners of each county shall make available affidavit forms for the purposes of this
 139 subsection.

140 (c)(1) As used in this subsection, the term:

141 (A) 'Ordered military duty' means any military duty performed in the service of the
 142 state or of the United States, including, but not limited to, attendance at any service
 143 school or schools conducted by the armed forces of the United States which requires
 144 a service member to be at least 50 miles from his or her home.

145 (B) 'Service member' means an active duty member of the regular or reserve
 146 component of the United States ~~Armed~~ armed forces, the United States Coast Guard,
 147 the Georgia National Guard, or the Georgia Air National Guard who was on ordered
 148 federal duty for a period of 90 days or longer.

149 (2) Any service member on ordered military duty ~~and~~ or the spouse of any such service
 150 member who requests to be excused or deferred shall be excused or deferred from jury
 151 duty upon presentation of ~~either a copy of the official military orders or a written~~
 152 ~~verification signed by the service member's commanding officer of such duty~~ a valid
 153 military identification card and execution of an affidavit in the form required by the court
 154 for deferral or excusal under this paragraph.

155 (d) The court shall notify the clerk of its excuse or deferment of a person's jury service."

156 SECTION 6.

157 Said title is further amended by revising Code Section 15-12-3, relating to terms of service
 158 on jury, as follows:

159 "15-12-3.

160 No person shall be compellable to serve on the grand or trial jury of the superior court or
 161 on any jury in other courts for more than four weeks in any year. No person shall be
 162 allowed to serve on the trial jury of the superior court ~~or as tales juror in any criminal case~~
 163 or on any jury in other courts for more than four weeks in any one year unless he or she is
 164 actually engaged in the trial of a case when the four weeks expire, in which case he or she
 165 shall be discharged as soon as the case is decided."

166 **SECTION 7.**

167 Said title is further amended by revising Code Section 15-12-4, relating to ineligibility of
 168 juror to serve at next succeeding term of court, as follows:

169 "15-12-4.

170 (a) Any juror person who has served as a ~~grand or trial~~ juror at any session of the superior
 171 ~~or state~~ courts, ~~state courts, or city courts~~ shall be ineligible for duty as a juror at the next
 172 succeeding term of the court in which ~~he~~ such person has previously served but shall be
 173 eligible to serve at the next succeeding term of court for a different level of court. ~~Nothing~~
 174 ~~contained in this subsection shall prevent any trial juror from serving as a grand juror at the~~
 175 ~~next term of the superior court of his county. This subsection shall not apply to any court~~
 176 ~~in any county wherein the grand jury box contains not exceeding 100 names and the trial~~
 177 ~~jury box contains not exceeding 350 names.~~

178 (b) In addition to any other qualifications provided under this chapter, no person shall be
 179 qualified to serve as a juror under this chapter unless that person is a citizen of the United
 180 States. ~~When the name of any juror who is disqualified by subsection (a) of this Code~~
 181 ~~section is drawn, the same shall not be recorded as a juror but shall be returned to the box~~
 182 ~~from which it was drawn; and the drawing shall be continued until the jury is secured."~~

183 **SECTION 8.**

184 Said title is further amended by revising paragraph (2) of subsection (a) of Code Section
 185 15-12-7, relating to compensation of court bailiffs and expense allowance for jurors to be
 186 fixed by the grand jury, as follows:

187 "(2) An expense allowance for jurors in the superior courts of such counties for the next
 188 succeeding year, ~~such expense allowance~~ not to be less than \$5.00 nor to exceed \$50.00
 189 per diem. The same expense allowance shall be allowed to jurors of the several state
 190 courts and special courts as is allowed jurors in the superior court of the county in which
 191 the state or special court is located. ~~The expense allowance of tales jurors shall be the~~
 192 ~~same as that of a regularly drawn trial juror; and"~~

193 **SECTION 9.**

194 Said title is further amended by revising Code Section 15-12-9, relating to expense allowance
 195 of jurors who appear but are not sworn, as follows:

196 "15-12-9.

197 ~~The grand and trial jurors who are drawn for service and~~ persons who appear in answer to
 198 the summons for trial or grand jury service shall receive the expense allowance for the day
 199 of their appearance even if they are not sworn as jurors."

200 **SECTION 10.**

201 Said title is further amended by revising Code Section 15-12-10, relating to juror's failure to
202 appear, as follows:

203 "15-12-10.

204 If any person is ~~drawn as a juror and~~ duly summoned to appear as such a juror at court, ~~or~~
205 ~~summoned as a tales juror~~, and neglects or refuses to appear, or if any juror absents himself
206 or herself without leave of the court, said neglect, refusal, or absence may, after notice and
207 hearing, be punished as contempt of court."

208 **SECTION 11.**

209 Said title is further amended by revising Code Section 15-12-11, relating to appointment of
210 court personnel in certain counties, as follows:

211 "15-12-11.

212 (a) In all counties having a population of 600,000 or more according to the United States
213 decennial census of 1990 or any future such census, the judges of the superior court of such
214 counties, by a majority vote of all of them, shall have the power to appoint a jury clerk and
215 such other personnel as may be deemed necessary or advisable to dispatch the work of the
216 court. The appointments to such positions and the compensation therefor shall be
217 determined by the judges without regard to any other system or rules, such personnel to
218 serve at the pleasure of the judges. The salaries and expenses of the personnel and any
219 attendant expense of administration of the courts are determined to be contingent expense
220 of court and shall be paid as provided by law for the payment of contingent expenses. The
221 duties of the personnel shall be as prescribed by the judges.

222 (b) ~~All prospective~~ Prospective jurors in all counties may be required to answer written
223 questionnaires, as may be determined and submitted by the judges of such counties,
224 concerning their qualifications as jurors. In propounding the court's questions, the ~~judges~~
225 court may consider the suggestions of counsel. In the court's questionnaire and during voir
226 dire examination, judges should ensure that the privacy of prospective jurors is reasonably
227 protected and that the questioning by counsel is consistent with the purpose of the voir dire
228 process.

229 (c) Juror questionnaires shall be confidential and shall be exempt from public disclosure
230 pursuant to the provisions of Code Section 50-18-70; provided, however, that the court may
231 order the clerk in writing to release jury questionnaire data to parties and their counsel in
232 preparation for a challenge to the array of the grand or trial jury pursuant to Code Section
233 15-12-162 or in preparation for conducting voir dire pursuant to Code Section 15-12-133.
234 The court's order shall specifically prohibit usage of data derived from a jury questionnaire
235 for any purpose other than as authorized by this subsection.

236 ~~(e)~~(d) In the event any prospective juror fails or refuses to answer the questionnaire, the
 237 jury clerk shall report the failure or refusal to the court together with the facts concerning
 238 the same, and the court shall have such jurisdiction as is provided by law for subpoena,
 239 attachment, and contempt powers.

240 ~~(d)~~(e) This Code section shall be supplemental to other provisions of law, with a view
 241 toward efficient and orderly handling of jury selection and the administration of justice."

242 **SECTION 12.**

243 Said title is further amended by revising Code Section 15-12-20, relating to the board of jury
 244 commissioners, as follows:

245 "15-12-20.

246 (a) In each county, there shall be a six-member board of jury commissioners, ~~whose~~
 247 appointed by the chief judge of the superior court. The members of such board shall be
 248 discreet persons who are not practicing attorneys at law nor or county officers, who shall
 249 be appointed by the chief judge of the superior court.

250 (b) ~~Absent promulgation of a court rule pursuant to subsection (c) of this Code section~~
 251 specifying a lesser number, the board of jury commissioners shall be composed of six
 252 members. When the board is composed of six members, on the first appointment two shall
 253 be appointed for two years, two for four years, and two for six years. Their successors
 254 shall be appointed for a term of six years. The first appointments to the board shall be
 255 fixed in such a manner that not more than two members' terms shall expire during any
 256 calendar year. The chief judge shall adjust the composition and terms of members of the
 257 board in office if more than two members' terms expire during any calendar year.
 258 Successors to members of the board originally appointed shall be appointed for a term of
 259 six years. No person who has served for more than three years as a jury commissioner
 260 shall be eligible or shall be appointed to succeed himself or herself as a member of the
 261 board of jury commissioners.

262 (c) ~~In any county the chief judge of the superior court may establish by court rule duly~~
 263 ~~published and filed a board of jury commissioners composed of not less than three nor~~
 264 ~~more than five members. In counties in which the numerical composition of the board has~~
 265 ~~been established by court rule, the first appointments to the board shall be fixed in such a~~
 266 ~~manner that not more than one member's term shall expire during any calendar year. The~~
 267 ~~chief judge shall adjust the composition and terms of members of the board in office at the~~
 268 ~~time of the publication of the court rule. Successors to members of the board originally~~
 269 ~~appointed under the provisions of a court rule shall be appointed for a term of six years.~~

270 (d) ~~In all cases, the~~ The chief judge shall have the right authority to remove the jury
 271 commissioners at any time, ~~in his discretion, for cause and~~ appoint successors. ~~However,~~

272 ~~no person who has served for more than three years as a jury commissioner shall be eligible~~
 273 ~~or shall be appointed to succeed himself as a member of the board of jury commissioners."~~

274 **SECTION 13.**

275 Said title is further amended by revising paragraph (3) of subsection (b) of Code Section
 276 15-12-23, relating to the clerk of board of jury commissioners, as follows:

277 "(3) In the event any such person fails or refuses to answer such questionnaire, the
 278 ~~aforsaid jury~~ clerk shall report such failure or refusal to the court, together with the facts
 279 concerning the same, and the court shall have such jurisdiction as is now provided by law
 280 for subpoena, attachment, and contempt powers."

281 **SECTION 14.**

282 Said title is further amended by revising Code Section 15-12-24, relating to compensation
 283 of jury commissioners and clerk, as follows:

284 "15-12-24.

285 Jury commissioners shall receive \$50.00 ~~for each day's service in~~ per diem for revising the
 286 county master jury lists, to be paid from funds from the county treasury. The clerk ~~of the~~
 287 ~~board~~ shall receive \$50.00 to be paid in like manner. The chief judge of the superior court
 288 of the judicial circuit in which the county lies shall have the right, subject to the approval
 289 of the governing authority of the county, to increase the compensation provided by this
 290 Code section for the jury commissioners and clerk in an amount not exceeding \$100.00 ~~for~~
 291 ~~each day's service~~ per diem, to be paid in like manner."

292 **SECTION 15.**

293 Said title is further amended by revising Code Section 15-12-40, relating to compilation,
 294 maintenance, and revision of jury list, as follows:

295 "15-12-40.

296 (a) **Nonmechanical procedure.**

297 (1) At least biennially, unless otherwise directed by the chief judge of the superior court,
 298 the board of jury commissioners shall compile, maintain, and revise a trial jury list of
 299 upright and intelligent citizens of the county to serve as trial jurors and a grand jury list
 300 of the most experienced, intelligent, and upright citizens of the county to serve as grand
 301 jurors. In composing the trial jury list, the board of jury commissioners shall select a
 302 fairly representative cross section of the intelligent and upright citizens of the county. In
 303 composing the grand jury list, the board of jury commissioners shall select a fairly
 304 representative cross section of the most experienced, intelligent, and upright citizens of

305 the county. In carrying out revisions of the trial jury list and grand jury list on or after
 306 July 1, 2002, the board of jury commissioners shall make use of all of the following:

307 (A) A list of all residents of the county who are the holders of drivers' licenses or
 308 personal identification cards issued by the Department of Driver Services pursuant to
 309 the provisions of Chapter 5 of Title 40; and the Department of Driver Services shall
 310 periodically make such a list available to the board of jury commissioners of each
 311 county;

312 (B) The registered voters list in the county; and

313 (C) Any other list of persons resident in the county as may be deemed appropriate by
 314 the board of jury commissioners.

315 The Department of Driver Services shall provide a list, which includes the name, address,
 316 date of birth, gender, driver's license or personal identification card number issued
 317 pursuant to the provisions of Chapter 5 of Title 40, and, whenever racial and ethnic
 318 information is collected by the Department of Driver Services for purposes of voter
 319 registration pursuant to Code Section 21-2-221, racial and ethnic information, to the
 320 board of jury commissioners of each county. No jury list compiled prior to July 1, 2002,
 321 shall be rendered invalid by the use of or a failure to make use of the sources specified
 322 in this Code section; but each revision of the jury list on or after that date shall make use
 323 of all such sources to the extent actually available to the board of jury commissioners.

324 (2) The grand jury list shall not exceed two-fifths of the number of citizens on the
 325 county's most recent trial jury list.

326 (3) Once filed, the lists so created shall constitute the body of trial and grand jurors for
 327 the county, respectively. Except as otherwise provided in this article, no new names shall
 328 be added to either list until those names originally selected have been completely
 329 exhausted or until a revised list has been properly created.

330 **(b) Mechanical or electronic procedure.**

331 (1) In any county using a plan for the selection of persons to serve as jurors by
 332 mechanical or electronic means in conformance with paragraphs (1) and (2) of subsection
 333 (b) of Code Section 15-12-42, the board of jury commissioners shall compile and
 334 maintain a trial jury list and a grand jury list in conformance with paragraph (1) of
 335 subsection (a) of this Code section.

336 (2) Once the trial or grand jury lists, or both, are established, the board of jury
 337 commissioners may revise such lists from time to time by adding new names to the lists,
 338 correcting names and other data on the lists, and deleting names from the lists by reason
 339 of death or other legal cause.

340 (3) The trial jury box for the county shall be taken from the trial jury list established by
 341 the board of jury commissioners, and the grand jury box for the county shall be taken

342 from the grand jury list established by the board of jury commissioners. The information
 343 contained in the trial and grand jury boxes shall be stored in a security data processing
 344 storage bank from which all trial or grand juries in the county shall be selected as
 345 provided in the plan adopted pursuant to Code Section 15-12-42.

346 (4) The number of citizens in the grand jury box shall be established by the board of jury
 347 commissioners but shall contain, as a minimum, a number equal to four times the number
 348 of grand jurors required to be drawn in the county annually, but not to exceed 5,000 grand
 349 jurors.

350 (5) At each selection of trial or grand jurors, the computer shall be programmed to scan
 351 the entire appropriate jury box under the formula and plan adopted by the court pursuant
 352 to Code Section 15-12-42.

353 (6) In any county utilizing a plan for the selection of persons for the trial and grand jury
 354 boxes by mechanical or electronic means in conformance with paragraph (4) of
 355 subsection (b) of Code Section 15-12-42, the trial or grand jury box for the county may
 356 be compiled from the trial or grand jury list of the county by mechanical or electronic
 357 means as provided for in the plan.

358 (c) **Other disposition or transfer.** In any county in which more than 70 percent of the
 359 population of the county according to the United States decennial census of 1980 or any
 360 future such census resides on property of the United States government which is exempt
 361 from taxation by this state, the population of the county for the purpose of this Code section
 362 shall be deemed to be the total population of the county minus the population of the county
 363 which resides on property of the United States government other than persons who reside
 364 on property of the United States government within such county who are registered voters
 365 according to the official registered voters list of the county as most recently revised by the
 366 county board of registrars or other county election officials and any persons who reside on
 367 property of the United States government within such county who are not registered voters
 368 and who have requested in writing to the board of jury commissioners that their names be
 369 included on the list from which citizens are selected to serve as jurors and grand jurors by
 370 the board of jury commissioners.

371 (d) **Assistance of the Administrative Office of the Courts.**

372 (1) The Administrative Office of the Courts may assist the clerk ~~of the superior court or~~
 373 ~~the jury clerk, whichever is applicable,~~ by providing a list of county citizens who the
 374 Administrative Office of the Courts certifies are prima facie eligible persons for
 375 consideration as jurors on the traverse and grand jury pools.

376 (2) The Department of Driver Services shall provide the Administrative Office of the
 377 Courts the list required by subparagraph (a)(1)(A) of this Code section and the

378 information set forth in the undesignated text of paragraph (1) of subsection (a) of this
379 Code section.

380 (3) The Secretary of State shall provide the Administrative Office of the Courts the list
381 of registered voters and list of convicted felons.

382 (e) This Code section shall stand repealed and reserved 12 months after the effective date
383 of this Act."

384 **SECTION 16.**

385 Said title is further amended by revising Code Section 15-12-40.1, relating to the requirement
386 of United States citizenship, as follows:

387 "15-12-40.1.

388 ~~In addition to any other qualifications provided under this article, no person shall be~~
389 ~~qualified to serve as a juror under this article unless that person is a citizen of the United~~
390 ~~States.~~

391 (a) Beginning on and after the effective date of this Act, the council shall compile a
392 state-wide master jury list. The council shall facilitate updating of all information relative
393 to jurors on the state-wide master jury list and county master jury lists.

394 (b) Beginning on and after the effective date of this Act, upon the council's request, the
395 Department of Driver Services shall provide the council and the Administrative Office of
396 the Courts a list, which includes the name, address, city of residence, date of birth, gender,
397 driver's license or personal identification card number issued pursuant to the provisions of
398 Chapter 5 of Title 40, and, whenever racial and ethnic information is collected by the
399 Department of Driver Services for purposes of voter registration pursuant to Code Section
400 21-2-221, racial and ethnic information. The Department of Driver Services shall also
401 provide the address, effective date, document issue date, and document expiration date;
402 shall indicate whether the document is a driver's license or a personal identification card;
403 and shall exclude persons whose driver's license has been suspended or revoked due to a
404 felony conviction. Such lists shall be in electronic format as required by the council.

405 (c) Beginning on and after the effective date of this Act, upon request by the council, the
406 Secretary of State shall provide to the council and the Administrative Office of the Courts,
407 without cost, the list of registered voters. It shall also be the duty of the Secretary of State
408 to provide the council and the Administrative Office of the Courts, in electronic format,
409 with a copy of the lists of persons:

410 (1) Who have been convicted of felonies in state or federal courts or who have been
411 declared mentally incompetent; and

412 (2) Whose voting rights have been removed

413 which are provided to the county board of registrars by the Secretary of State pursuant to
 414 Code Section 21-2-231.

415 (d) Each county's board of jury commissioners shall obtain its county master jury list from
 416 the council. The council shall disseminate, in electronic format, a county master jury list
 417 to the respective counties' boards of jury commissioners once each calendar year. The
 418 council shall determine the fee to be assessed each county board of jury commissioners for
 419 such list, provided that such fee shall not exceed 3¢ per name on the list. The council shall
 420 invoice each county board of jury commissioners upon the delivery of the county master
 421 jury list, and the county board of jury commissioners shall remit payment within 30 days
 422 of the invoice.

423 (e) In each county, upon court order, the clerk shall choose a random list of persons from
 424 the county master jury list to comprise the venire."

425 **SECTION 17.**

426 Said title is further amended by revising Code Section 15-12-40.2, relating to the list of
 427 convicted felons and mentally ill provided to the board of jury commissioners, as follows:

428 "15-12-40.2.

429 It shall be the duty of the county board of registrars to provide the board of jury
 430 commissioners with a copy of the lists of persons who have been convicted of felonies in
 431 state or federal courts or who have been declared mentally incompetent and whose voting
 432 rights have been removed, which lists are provided to the county board of registrars by the
 433 Secretary of State pursuant to Code Section 21-2-231. Upon receipt of such list, it shall be
 434 the duty of the board of jury commissioners to remove such names from the trial and grand
 435 jury lists and to mail a notice of such action and the reason therefor to the last known
 436 address of such persons by first-class mail. This Code section shall stand repealed and
 437 reserved 12 months after the effective date of this Act."

438 **SECTION 18.**

439 Said title is further amended by revising Code Section 15-12-41, relating to order of revision
 440 of jury list, as follows:

441 "15-12-41.

442 On failure of the commissioners of any county to revise the jury list as provided in Code
 443 Section 15-12-40, the judge of the superior court of the county shall order the revision
 444 made at such time as he or she may direct. This Code section shall stand repealed and
 445 reserved 12 months after the effective date of this Act."

446 **SECTION 19.**

447 Said title is further amended by revising Code Section 15-12-42, relating to selection of
 448 jurors, as follows:

449 "15-12-42.

450 **(a) Nonmechanical procedure.**

451 (1) The jury commissioners shall place tickets containing all the names of grand jurors
 452 in a box to be provided at public expense, which box shall contain compartments marked
 453 number 'one' and number 'two,' from which grand jurors shall be drawn; the
 454 commissioners shall place the tickets containing all the names of trial jurors in a separate
 455 box from which trial jurors shall be drawn, the box having two separate compartments
 456 similar in design to the grand jurors' box. The tickets with the jurors' names shall be
 457 placed in compartment number 'one.' When each ticket is drawn and the name thereon is
 458 recorded on the proper form or list, the ticket so drawn shall be placed in compartment
 459 number 'two.' Only when all the tickets have been drawn from compartment number 'one'
 460 may the process of drawing jurors' names from compartment number 'two' begin, and
 461 then only when all the tickets have been drawn from compartment number 'two' may the
 462 process of drawing jurors' names from compartment number 'one' begin again.

463 (2) There shall only be one trial jury box for each county, that being the trial jury box
 464 prepared for the use of the superior court of each county.

465 (3) All trial jurors' names for use in any court in the county shall be drawn from the one
 466 trial jury box. The judge of any court shall draw the jurors' names as the need for the
 467 services of jurors shall arise in his or her court. The judge of any court held outside of the
 468 county courthouse using the trial jury box shall draw his or her juries in the courthouse
 469 and in the presence of the clerk or a deputy clerk of the superior court.

470 **(b) Mechanical or electronic procedure.**

471 (1) In lieu of the procedure set forth in subsection (a) of this Code section, the chief
 472 judge of the superior court in any county having facilities available for the
 473 implementation of this subsection, with the concurrence of the other judge or judges of
 474 the superior court, may establish a plan for the selection of persons to serve as jurors in
 475 such county by mechanical or electronic means. The plan shall be established by a duly
 476 published and filed rule of the court. ~~The clerk of the superior court, as clerk of the board~~
 477 ~~of jury commissioners,~~ shall implement and maintain the jury selection process
 478 established by the plan.

479 (2) The plan:

480 (A) Shall provide for a fair, impartial, and objective method of selecting persons for
 481 jury service with the aid of mechanical or electronic equipment, using the jury boxes
 482 compiled in accordance with Code Section 15-12-40;

483 (B) Shall contain adequate safeguards relative to the creation, handling, maintenance,
 484 processing, and storage of magnetic tapes, data banks, and other materials and records
 485 used in the selection process;

486 (C) Shall contain such other regulations and guidelines as are necessary to fully
 487 implement this subsection and to facilitate the use of the plan for the selection of
 488 persons for jury service by all of the courts in such county; and

489 (D) May be amended from time to time as necessary to keep the entire jury selection
 490 process updated.

491 (3) In any county in which a plan has been established under this subsection such plan
 492 shall conform as nearly as practicable to paragraphs (2) and (3) of subsection (a) of this
 493 Code section. However, where the computer data storage cell is used as the jury box, the
 494 provisions contained in such paragraphs shall not apply.

495 (4) In any county having facilities available for the implementation of this subsection,
 496 the chief judge of the superior court, with the concurrence of the other judge or judges
 497 of the superior court, may establish a plan by a duly published and filed rule of court for
 498 the trial and grand jury boxes for the county to be taken from the trial or grand jury lists
 499 established by the board of jury commissioners by mechanical or electronic procedures.
 500 Such plan:

501 (A) Shall provide for a fair, impartial, and objective method of selecting persons for
 502 inclusion in the trial or grand jury box with the aid of mechanical or electronic
 503 equipment and for a system of allowing jurors the greatest opportunity to serve, using
 504 the jury lists compiled by the board of jury commissioners in accordance with Code
 505 Section 15-12-40;

506 (B) Shall contain adequate safeguards relative to the creation, handling, maintenance,
 507 processing, and storage of magnetic tapes, data banks, and other materials and records
 508 used in the process of composing and maintaining the trial and grand jury boxes;

509 (C) Shall contain such other regulations and guidelines as are necessary to fully
 510 implement this subsection; and

511 (D) May be amended from time to time as necessary to keep the trial and grand jury
 512 box composition process updated.

513 (c) **Contract for mechanical or electronic juror selection.** A county utilizing
 514 mechanical or electronic means for the selection of jurors may, under proper court rule,
 515 contract for the drawing of their respective trial and grand jurors with any entity with which
 516 a county may contract under Article IX, Section III, Paragraph I, subparagraph (a) of the
 517 Constitution and with any private business or entity within this state, but any such contract
 518 shall ensure that proper safeguards are maintained as provided in paragraph (2) of
 519 subsection (b) of this Code section. The drawing may be held outside of the county so

520 contracting by a judge of the circuit or his or her designee upon proper posting and
 521 advertising in the county legal organ of the rule of court allowing this service to be
 522 performed for the county.

523 (d) This Code section shall stand repealed and reserved 12 months after the effective date
 524 of this Act."

525 **SECTION 20.**

526 Said title is further amended by revising Code Section 15-12-43, relating to jury list book or
 527 computer printout, as follows:

528 "15-12-43.

529 (a) The clerk ~~of the superior court~~ shall make out, in a book, lists of the names contained
 530 in the grand jury box and in the trial jury box, respectively, alphabetically arranged, and
 531 shall place the book in his or her office after the lists therein have been certified by the
 532 clerk and commissioners to contain, respectively, all the names placed in the jury boxes.

533 (b) In counties utilizing mechanical or electronic means for the selection of trial and grand
 534 jurors, a computer printout, alphabetically arranged, shall constitute the official jury list.
 535 The clerk ~~of the superior court~~ shall bind such list after it has been certified by the clerk
 536 and the jury commissioners to contain, respectively, all of the names in the electronic data
 537 cell comprising the jury boxes.

538 (c) Each time the jury box is updated by the board of jury commissioners, an amended list
 539 shall be made out by the clerk showing all changes contained in the subsequent list.

540 (d) This Code section shall stand repealed and reserved 12 months after the effective date
 541 of this Act."

542 **SECTION 21.**

543 Said title is further amended by adding a new Code section to read as follows:

544 "15-12-43.1.

545 On and after 12 months after the effective date of this Act, upon the request of a party or
 546 his or her attorney, the clerk shall make available for review by such persons the county
 547 master jury list."

548 **SECTION 22.**

549 Said title is further amended by revising Code Section 15-12-44, relating to procedures on
 550 loss or destruction of jury box or jury list, as follows:

551 "15-12-44.

552 (a) **Nonmechanical procedure.** When the jury list and jury box, or either, are lost or
 553 destroyed between the time of drawing juries and the beginning of the term for which the

554 drawing was made, or before the service of the precepts on the persons named therein, the
 555 chief judge of the circuit in which such loss or destruction occurs, immediately on being
 556 informed thereof, shall issue an order to the jury commissioners of the county to meet at
 557 the county site and prepare a list of citizens eligible to serve as jurors under the
 558 Constitution of the state, which list shall contain the names of not less than two-thirds of
 559 the upright and intelligent citizens of the county. From this list the commissioners shall
 560 select a sufficient number, not exceeding two-fifths of the whole, taking for this purpose
 561 the names of the most experienced, intelligent, and upright citizens, and, from the list so
 562 selected, shall at once proceed to draw 30 names of persons to serve as grand jurors at the
 563 next term of the court. From the remaining three-fifths of the names on the list, the
 564 commissioners shall then proceed to draw, in the same manner, not less than 36 to serve
 565 as trial jurors at the next term of the court. When the drawings have been completed, the
 566 commissioners shall immediately make out and deliver to the clerk ~~of the superior court~~
 567 correct lists of the grand and trial jurors so drawn, and the clerk shall at once deliver to the
 568 sheriff, or to the coroner in case the sheriff shall be disqualified, proper precepts containing
 569 the names of the persons drawn to serve as grand and trial jurors, respectively, to be served
 570 personally, as required by law. The persons so drawn and served, if otherwise eligible,
 571 shall be competent to serve as jurors during the term for which they were drawn, without
 572 regard to the time of the preparation of the list, the drawing of the jurors, or the date of the
 573 service of the venire on the persons whose names are contained therein.

574 (b) **Mechanical or electronic procedure.** In counties utilizing mechanical or electronic
 575 means for the selection of jurors, all the information contained on the jury lists and in the
 576 jury box shall be recorded on microfilm and stored in the vault by the ~~superior court~~ clerk.
 577 In the event the information in the storage cell is destroyed or otherwise lost, the microfilm
 578 shall be used to reprogram the computer and to create a new storage cell.

579 (c) This Code section shall stand repealed and reserved 12 months after the effective date
 580 of this Act."

581 SECTION 23.

582 Said title is further amended by adding a new Code section to read as follows:

583 "15-12-44.1.

584 The state-wide master jury lists and county master jury lists shall be safeguarded against
 585 catastrophic, routine, or any other form of loss or destruction, and on and after 12 months
 586 after the effective date of this Act, the council shall develop, implement, and provide a
 587 state-wide system to ensure that jury data for all counties of this state shall be
 588 systematically preserved in perpetuity and that all jury list data can be restored in the event
 589 of loss."

590

SECTION 24.

591 Said title is further amended by revising Code Section 15-12-45, relating to loss or
592 destruction of precepts, as follows:

593 "15-12-45.

594 (a) In case the precepts containing the names of grand and trial jurors drawn for any term
595 of the court, or either of such precepts, are lost or destroyed before the persons named in
596 them, or in either of them, have been served and there is no record or official list of the
597 names contained in the original precepts so lost or destroyed, the jury commissioners of the
598 county shall meet immediately on being informed of such loss or destruction and shall
599 draw and deliver to the clerk ~~of the court~~ lists of the jurors so drawn. The clerk shall
600 forthwith prepare and deliver to the proper officer new precepts to be served personally.
601 The persons so drawn, listed, and served, if otherwise competent under the Constitution of
602 this state, shall be competent and compellable to serve as jurors for the term for which they
603 were drawn, without regard to the date of the drawing and delivering of the lists to the clerk
604 or the date of the issuing or service of the precepts.

605 (b) In counties utilizing mechanical or electronic means for the selection of jurors,
606 subsection (b) of Code Section 15-12-44 shall be applied in the event the precepts
607 described in subsection (a) of this Code section are lost or destroyed prior to service on the
608 persons named therein.

609 (c) This Code section shall stand repealed and reserved 12 months after the effective date
610 of this Act."

611

SECTION 25.

612 Said title is further amended by revising Code Section 15-12-46, relating to adjournment of
613 term pending drawing of jurors, as follows:

614 "15-12-46.

615 If juries have not been ~~drawn~~ chosen for any regular term of the superior court and there
616 is not sufficient time for ~~drawing~~ choosing and summoning prospective jurors to serve at
617 the regular term, the judge of the superior court for the county in which the failure has
618 occurred, by order passed at chambers, may adjourn the court to another day, may require
619 the requisite number of prospective grand and trial jurors to be summoned, and may
620 enforce their attendance at the term so called."

621

SECTION 26.

622 Said title is further amended by revising Code Section 15-12-60, relating to qualifications of
623 grand jurors, as follows:

624 "15-12-60.

625 (a) Except as provided in subsection (b) of this Code section, all citizens of this state 18
626 years of age or older who are not incompetent because of mental illness or mental
627 retardation; and who have resided in the county for at least six months preceding the time
628 of service, ~~and who are the most experienced, upright, and intelligent persons are~~ shall be
629 qualified and liable to serve as grand jurors unless otherwise exempted by law.

630 (b) The following persons ~~are incompetent~~ shall not be eligible to serve as grand jurors:

631 (1) Any person who holds any elective office in state or local government or who has
632 held any such office within a period of two years preceding the time of service as a grand
633 juror; and

634 (2) Any person who has been convicted of a felony and who has not been pardoned or
635 had his or her civil rights restored."

636

SECTION 27.

637 Said title is further amended by revising subsection (b) of Code Section 15-12-61, relating
638 to number of grand jurors, as follows:

639 "(b) The grand jury shall be authorized to request the ~~foreman or clerk~~ foreperson of the
640 previous grand jury to appear before it for the purpose of reviewing and reporting the
641 actions of the immediately preceding grand jury if the succeeding grand jury determines
642 that such service would be beneficial. While serving a succeeding grand jury, the ~~foreman~~
643 ~~or clerk~~ foreperson of the immediately preceding grand jury shall receive the same
644 compensation as ~~to~~ other members of the grand jury. Any person serving as ~~foreman or~~
645 ~~clerk~~ foreperson of a grand jury and then ~~being~~ requested to report to an immediately
646 succeeding grand jury shall not be eligible to again serve as a grand juror ~~during~~ for one
647 year following the conclusion of such earlier service."

648

SECTION 28.

649 Said title is further amended by revising Code Section 15-12-62, relating to selection of
650 grand jurors, as follows:

651 "15-12-62.

652 (a) The judges of the superior courts, at the close of each term, in open court, shall unlock
653 the box and break the seal and shall cause to be drawn from compartment number 'one' not
654 less than 18 nor more than 75 names to serve as grand jurors at the next term of the court,
655 all of which names shall be deposited in compartment number 'two.' When all the names
656 have been drawn out of compartment number 'one,' then the drawing shall commence from
657 compartment number 'two,' and the tickets shall be returned to number 'one,' and so on
658 alternately. No name so deposited in the box shall, on any pretense whatever, be thrown

659 out of it or destroyed except when it is satisfactorily shown to the judge that the juror is
660 dead, removed out of the county, or otherwise disqualified by law.

661 (b) In those counties utilizing mechanical or electronic means for the selection of jurors,
662 subsection (a) of this Code section shall not apply. Rather, the judges of the superior court
663 shall draw a grand jury from the 'electronic jury box' in the same manner and under the
664 same plan that trial juries are drawn. They shall draw not less than 18 nor more than 75
665 names to serve as grand jurors at the next term of court.

666 (c) This Code section shall stand repealed and reserved 12 months after the effective date
667 of this Act."

668 **SECTION 29.**

669 Said title is further amended by adding a new Code section to read as follows:

670 "15-12-62.1.

671 On and after 12 months after the effective date of this Act, the clerk shall choose a
672 sufficient number of persons to serve as grand jurors. The clerk, not less than 20 days
673 before the commencement of each term of court at which a regular grand jury is impaneled,
674 shall issue summonses by mail to the persons chosen for grand jury service. The clerk shall
675 choose grand jurors in the manner specified by and in accordance with the rules adopted
676 by the Supreme Court."

677 **SECTION 30.**

678 Said title is further amended by revising Code Section 15-12-63, relating to separate
679 drawings for each week authorized, as follows:

680 "15-12-63.

681 When the superior court is held for longer than one week, the presiding judge may ~~draw~~
682 ~~separate panels of grand jurors~~ direct the clerk to choose separate grand juries for each
683 week ~~if, in his opinion, the public interest requires it."~~

684 **SECTION 31.**

685 Said title is further amended by revising Code Section 15-12-64, relating to procedure where
686 judge has failed to draw grand jury, as follows:

687 "15-12-64.

688 Whenever from any cause the judge fails to draw a grand jury as provided in Code Section
689 15-12-62, the judge of the probate court of the county in which such failure occurred,
690 together with the jury commissioners and the clerk ~~of the superior court~~, shall meet at the
691 courthouse at least 20 days prior to the next ensuing term of the court, whether such term
692 is a regular or special term, and then and there shall draw grand jurors to serve at that term,

693 which proceedings shall be duly entered by the clerk on the minutes of the court and shall
 694 be signed by the judge of the probate court. This Code section shall stand repealed
 695 reserved 12 months after the effective date of this Act."

696 **SECTION 32.**

697 Said title is further amended by revising Code Section 15-12-65, relating to service of
 698 summons, as follows:

699 "15-12-65.

700 (a) **Counties utilizing nonmechanical selection procedures.** Within 30 days after the
 701 grand jurors have been drawn by a judge of the superior court or within five days after they
 702 have been drawn by the judge of the probate court and the commissioners as provided in
 703 Code Section 15-12-64, the clerk ~~of the superior court~~ shall issue and deliver to the sheriff
 704 or his or her deputy a precept containing the names of the persons drawn as grand jurors.
 705 Upon the receipt of the precept, the sheriff or his or her deputy shall cause the persons
 706 whose names are therein written to be served personally or by leaving the summons at their
 707 most notorious places of residence at least ten days prior to the term of the court the jurors
 708 were drawn to attend; provided, however, the sheriff may, in his or her discretion, serve the
 709 persons whose names appear on the precept by sending the summons by certified United
 710 States mail or statutory overnight delivery, return receipt requested, addressed to their most
 711 notorious places of abode at least 15 days prior to the term of the court the jurors were
 712 drawn to attend. Failure to receive the notice personally shall be a defense to a contempt
 713 citation.

714 (b) **Counties utilizing mechanical or electronic selection procedures.** In those counties
 715 utilizing mechanical or electronic means for the selection of jurors, the sheriff of the county
 716 may authorize the clerk in writing to mail all summonses by first-class mail addressed to
 717 the jurors' most notorious places of abode at least 25 days prior to the term of the court the
 718 jurors were drawn to attend. Failure to receive the notice personally shall be a defense to
 719 a contempt citation. This subsection shall in no way affect the provisions for drawing jurors
 720 and the service upon jurors by other courts in the county.

721 (c) This Code section shall stand repealed and reserved 12 months after the effective date
 722 of this Act."

723 **SECTION 33.**

724 Said title is further amended by adding a new Code section to read as follows:

725 "15-12-65.1.

726 On and after 12 months after the effective date of this Act, the clerk shall be authorized to
 727 mail all summonses by first-class mail addressed to the prospective jurors' most notorious

728 places of abode at least 25 days prior to the date of the court the prospective jurors shall
 729 attend. Failure to receive the notice personally shall be a defense to a contempt citation."

730 **SECTION 34.**

731 Said title is further amended by revising Code Section 15-12-66, relating to tales jurors, as
 732 follows:

733 "15-12-66.

734 When from challenge or from any other cause there are not a sufficient number of persons
 735 in attendance to complete the panel of jurors, the judge shall draw tales jurors from the jury
 736 boxes of the county and shall order the sheriff to summon the jurors so drawn. When the
 737 sheriff or his or her deputy is disqualified to summon tales jurors, they may be summoned
 738 by the coroner or such other person as the judge may appoint. This Code section shall
 739 stand repealed and reserved 12 months after the effective date of this Act."

740 **SECTION 35.**

741 Said title is further amended by adding a new Code section to read as follows:

742 "15-12-66.1.

743 On and after 12 months after the effective date of this Act, when from challenge or from
 744 any other cause there are not a sufficient number of persons in attendance to complete the
 745 panel of jurors, the clerk shall choose prospective trial jurors from the county master jury
 746 list and summon the jurors so chosen."

747 **SECTION 36.**

748 Said title is further amended by revising subsections (a) and (d) of Code Section 15-12-82,
 749 relating to change of venue in criminal grand jury investigation, as follows:

750 "(a) The judges of the superior courts are authorized and empowered to transfer the
 751 investigation by a grand jury from the county where the crime was committed to the grand
 752 jury in any other county in ~~the~~ this state when it appears that a qualified grand jury cannot
 753 be had for the purpose of such investigation in the county where the crime was committed.
 754 ~~The grand jury box~~ county master jury list shall be exhausted in trying to secure a qualified
 755 jury before a transfer of the investigation shall be made, unless the accused consents to a
 756 transfer."

757 "(d) The sheriff and the clerk ~~of the superior court~~ of the county in which the crime was
 758 committed shall be qualified and authorized to perform the duties of such officers in the
 759 same manner as if there had been no change of venue. Any order or summons issued in
 760 connection with the investigation or trial shall be as binding as if no change of venue had
 761 been made."

762 **SECTION 37.**

763 Said title is further amended by revising subsection (b) of Code Section 15-12-100, relating
 764 to the procedure for impaneling special grand jury, as follows:

765 "(b) Until 12 months after the effective date of this Act, the ~~The~~ chief judge of the superior
 766 court of the county shall submit the question of impaneling a special grand jury to the
 767 judges of the superior court of the county and, if a majority of the total number of the
 768 judges vote in favor of impaneling a special grand jury, the members of a special grand jury
 769 shall be drawn in the manner prescribed by Code Section 15-12-62. On and after 12
 770 months after the effective date of this Act, the chief judge of the superior court of the
 771 county shall submit the question of impaneling a special grand jury to the judges of the
 772 superior court of the county and, if a majority of the total number of the judges vote in
 773 favor of impaneling a special grand jury, the members of a special grand jury shall be
 774 chosen in the manner prescribed by Code Section 15-12-62.1. Any special grand jury shall
 775 consist of not less than 16 nor more than 23 persons. The ~~foreman~~ foreperson of any
 776 special grand jury shall be selected in the manner prescribed by Code Section 15-12-67."

777 **SECTION 38.**

778 Said title is further amended by revising Code Section 15-12-120, relating to selection and
 779 summoning of trial jurors, as follows:

780 "15-12-120.

781 Trial juries shall be selected as provided in Code Sections 15-12-40 and 15-12-42. At the
 782 same time and in the same manner that grand juries are drawn, the judge of the superior
 783 court shall draw names to serve as trial jurors for the trial of civil and criminal cases in the
 784 court. Such trial jurors shall be summoned in the same manner as is provided in Code
 785 Section 15-12-65 ~~for summoning grand jurors.~~ This Code section shall stand repealed and
 786 reserved 12 months after the effective date of this Act."

787 **SECTION 39.**

788 Said title is further amended by adding a new Code section to read as follows:

789 "15-12-120.1.

790 On and after 12 months after the effective date of this Act, trial juries shall be chosen from
 791 a county master jury list. The presiding judge shall order the clerk to choose the number
 792 of jurors necessary to conduct the business of the court. The clerk shall choose the names
 793 of persons to serve as trial jurors for the trial of civil and criminal cases in the court. Such
 794 trial jurors shall be summoned in the same manner as provided in Code Section
 795 15-12-65.1."

796 **SECTION 40.**

797 Said title is further amended by revising Code Section 15-12-121, relating to procedure
798 where judge fails to draw jurors, as follows:

799 "15-12-121.

800 Whenever the presiding judge of the superior court fails to draw juries at any regular term
801 of the court, the jury commissioners may draw trial jurors at the same time and in the same
802 manner as grand jurors are drawn in such cases. This Code section shall stand repealed and
803 reserved 12 months after the effective date of this Act."

804 **SECTION 41.**

805 Said title is further amended by revising Code Section 15-12-124, relating to tales jurors in
806 civil actions, as follows:

807 "15-12-124.

808 When from challenge or from any other cause there is not a sufficient number of persons
809 in attendance to complete a panel of trial jurors, the judge shall draw tales jurors from the
810 jury box of the county and shall order the sheriff to summon the jurors so drawn. When the
811 sheriff or his or her deputy is disqualified to summon tales jurors, they may be summoned
812 by the coroner or such other person as the judge may appoint after their names have first
813 been drawn from the jury box by the judge as above provided. This Code section shall
814 stand repealed and reserved 12 months after the effective date of this Act."

815 **SECTION 42.**

816 Said title is further amended by adding a new Code section to read as follows:

817 "15-12-124.1.

818 On and after 12 months after the effective date of this Act, when from challenge or from
819 any other cause there is not a sufficient number of persons in attendance to complete a
820 panel of trial jurors, the clerk shall choose and cause to be summoned additional
821 prospective trial jurors."

822 **SECTION 43.**

823 Said title is further amended by revising Code Section 15-12-125, relating to demand of jury
824 panels for misdemeanor trials, as follows:

825 "15-12-125.

826 For the trial of misdemeanors in all courts, each party may demand a full panel of 12
827 competent and impartial jurors from which to select a jury. When one or more of the
828 regular panel of trial jurors is absent or for any reason disqualified, the judge, at the request
829 of counsel for either party, shall cause the panel to be filled by additional competent and

830 impartial jurors to the number of 12 before requiring the parties or their counsel to strike
 831 a jury. From this panel, the ~~defendant~~ accused and the state shall each have the right to
 832 challenge three jurors peremptorily. The ~~defendant~~ accused and the state shall exercise
 833 their challenges as provided in Code Section 15-12-166. The remaining six jurors shall
 834 constitute the jury."

835 **SECTION 44.**

836 Said title is further amended by revising Code Section 15-12-126, relating to additional jurors
 837 in misdemeanor cases, as follows:

838 "15-12-126.

839 When the regular panels of trial jurors cannot be furnished to make up panels of the correct
 840 number from which to take juries in misdemeanor cases because of the absence of any of
 841 such panels, where they, or any part of them, are engaged in the consideration of a case,
 842 the presiding judge may cause the panels to be filled by summoning such numbers of
 843 persons who are competent jurors as may be necessary to fill the panels. Such panels shall
 844 be used as the regular panels are used. The presiding judge shall draw the additional
 845 competent and impartial jurors from the jury box of the county and shall order the sheriff
 846 to summon them in the event that there are not sufficient jurors. This Code section shall
 847 stand repealed and reserved 12 months after the effective date of this Act."

848 **SECTION 45.**

849 Said title is further amended by adding a new Code Section to read as follows:

850 "15-12-126.1.

851 On and after 12 months after the effective date of this Act, when the regular panels of trial
 852 jurors cannot be furnished to make up panels of the correct number from which to take
 853 juries in misdemeanor cases because of the absence of any of such panels, where jurors,
 854 or any part of a panel, are engaged in the consideration of a case, the presiding judge may
 855 cause the panels to be filled by summoning such numbers of persons who are competent
 856 jurors as may be necessary to fill the panels. Such panels shall be used as the regular
 857 panels are used. The clerk shall choose and cause to be summoned additional prospective
 858 trial jurors."

859 **SECTION 46.**

860 Said title is further amended by revising Code Section 15-12-127, relating to separate panels
 861 to be drawn for each week, as follows:

862 "15-12-127.

863 When the court is held for longer than one week, the presiding judge shall draw separate
864 panels of trial jurors for each week of the court. This Code section shall stand repealed and
865 reserved 12 months after the effective date of this Act."

866 **SECTION 47.**

867 Said title is further amended by revising Code Section 15-12-128, relating to term of service
868 as tales juror, as follows:

869 "15-12-128.

870 No person shall be competent or compellable to serve ~~as a tales juror~~ upon the trial jury in
871 a court for more than two weeks at any one term. However, this Code section shall not
872 apply to any person regularly drawn for jury duty nor to jurors actually engaged in the trial
873 of a case at the expiration of the two weeks. This Code section shall stand repealed and
874 reserved 12 months after the effective date of this Act."

875 **SECTION 48.**

876 Said title is further amended by revising Code Section 15-12-129, relating to drawing of
877 juries where necessary, as follows:

878 "15-12-129.

879 Whenever the session of any court of record is prolonged beyond the week or period for
880 which juries were drawn at the close of the preceding term, or where the judge anticipates
881 that the same is about to be so prolonged, or where from any other cause the court has
882 convened or is about to convene and there have been no juries drawn for the same, the
883 judge, in the manner prescribed for drawing juries at the close of the regular term, shall
884 draw such juries as may be necessary and shall cause them to be summoned. This Code
885 section shall stand repealed and reserved 12 months after the effective date of this Act."

886 **SECTION 49.**

887 Said title is further amended by adding a new Code section to read as follows:

888 "15-12-129.1.

889 On and after 12 months after the effective date of this Act, whenever the session of any
890 court of record is prolonged beyond the week or period for which jurors were electronically
891 selected at the close of the preceding term, or where the judge anticipates that the same is
892 about to be so prolonged, or where from any other cause the court has convened or is about
893 to convene and there have been no jurors chosen for the same, the clerk, in the same
894 manner prescribed for choosing prospective jurors at the close of the regular term, shall
895 choose the names of prospective jurors and shall cause them to be summoned."

896

SECTION 50.

897 Said title is further amended by revising Code Section 15-12-130, relating to when jurors
898 selected for service in superior court may serve other courts with concurrent jurisdiction, as
899 follows:

900 "15-12-130.

901 (a) In any county of this state where there is located any court or courts having
902 county-wide jurisdiction concurrent with the superior courts of this state to try any, all, or
903 any type of case not within the exclusive jurisdiction of the superior courts of this state, any
904 prospective trial juror drawn, selected, and summoned for service in the trial of civil and
905 criminal cases in the superior court of such county shall be legally competent and qualified
906 to serve as a prospective juror in any such other court or courts located in the county for
907 the same period of time as he or she is competent and qualified to serve as a prospective
908 trial juror in the superior court of the county.

909 (b) Subsection (a) of this Code section shall be applicable only if:

910 (1) At the time the names of trial jurors are drawn by the judge of the superior court in
911 accordance with Code Section 15-12-120, the judge who draws the jurors shall announce
912 in open court the name or names of the court or courts other than the superior court
913 wherein the jurors shall be competent and qualified to serve by virtue of this Code
914 section;

915 (2) The precept issued by the clerk ~~of the superior court~~ in accordance with Code Section
916 15-12-65 shows that the jurors listed thereon are qualified and competent to serve as
917 jurors in courts other than the superior court and shows the name of such court or courts;
918 and

919 (3) The summons served upon or sent to each of the jurors pursuant to Code Section
920 15-12-65 affirmatively shows the name of all the courts wherein the juror is eligible to
921 serve.

922 (c) This Code section shall stand repealed and reserved 12 months after the effective date
923 of this Act."

924

SECTION 51.

925 Said title is further amended by adding a new Code section to read as follows:

926 "15-12-130.1.

927 (a) On and after 12 months after the effective date of this Act, in any county of this state
928 where there is located any court or courts having county-wide jurisdiction concurrent with
929 the superior courts of this state to try any, all, or any type of case not within the exclusive
930 jurisdiction of the superior courts of this state, any prospective trial juror chosen and
931 summoned for service in the trial of civil and criminal cases in the superior court of such

932 county shall be legally competent and qualified to serve as a prospective juror in any such
 933 other court or courts located in the county for the same period of time as he or she is
 934 competent and qualified to serve as a prospective trial juror in the superior court of the
 935 county.

936 (b) Subsection (a) of this Code section shall be applicable only if an order is entered by the
 937 judges of the affected courts identifying the courts in which prospective jurors may serve."

938 **SECTION 52.**

939 Said title is further amended by revising Code Section 15-12-132, relating to oath of jury on
 940 voir dire, as follows:

941 "15-12-132.

942 Each panel, prior to commencing voir dire, shall take the following oath:

943 'You shall give true answers to all questions as may be asked by the court or its authority,
 944 including all questions asked by the parties or their attorneys, concerning your
 945 qualifications as jurors in the case of _____ (herein state the case). So help
 946 you God.'

947 This oath shall be administered by the trial judge or the clerk of court."

948 **SECTION 53.**

949 Said title is further amended by revising Code Section 15-12-133, relating to right to
 950 individual examination of panel, as follows:

951 "15-12-133.

952 In all civil cases, the parties thereto shall have the right to an individual examination of the
 953 panel of prospective jurors from which the jury is to be selected, without interposing any
 954 challenge. In all criminal cases, both the state and the ~~defendant~~ accused shall have the
 955 right to an individual examination of each prospective juror from which the jury is to be
 956 selected prior to interposing a challenge. The examination shall be conducted after the
 957 administration of a preliminary oath to the panel or in criminal cases after the usual voir
 958 dire questions have been put by the court. In the examination, the counsel for either party
 959 shall have the right to inquire of the individual prospective jurors examined touching any
 960 matter or thing which would illustrate any interest of the prospective juror in the case,
 961 including any opinion as to which party ought to prevail, the relationship or acquaintance
 962 of the prospective juror with the parties or counsel therefor, any fact or circumstance
 963 indicating any inclination, leaning, or bias which the prospective juror might have
 964 respecting the subject matter of the action or the counsel or parties thereto, and the
 965 religious, social, and fraternal connections of the prospective juror."

966 **SECTION 54.**

967 Said title is further amended by revising Code Section 15-12-139, relating to oath in criminal
968 case, as follows:

969 "15-12-139.

970 In all criminal cases, the following oath shall be administered to the trial jury:

971 'You shall well and truly try the issue formed upon this bill of indictment (or accusation)
972 between the State of Georgia and (name of accused), who is charged with (here state the
973 crime or offense), and a true verdict give according to the evidence. So help you God.'

974 The judge or clerk ~~of the court~~ shall administer the oath to the jurors."

975 **SECTION 55.**

976 Said title is further amended by revising Code Section 15-12-160, relating to required panel
977 of jurors in felony trials, as follows:

978 "15-12-160.

979 When any person stands indicted for a felony, the court shall have impaneled 30 jurors
980 from which the defense and prosecution may strike jurors; provided, however, that in any
981 case in which the state announces its intention to seek the death penalty, the court shall
982 have impaneled 42 jurors from which the defense and state may strike jurors. If, for any
983 reason, after striking from the panel there remain less than 12 qualified jurors to try the
984 case, the presiding judge shall summon such numbers of persons who are competent
985 prospective jurors as may be necessary to provide a full panel or successive panels. In
986 making up the panel or successive panels, the presiding judge shall draw the tales jurors
987 from the jury box of the county and shall order the sheriff to summon them. This Code
988 section shall stand repealed and reserved 12 months after the effective date of this Act."

989 **SECTION 56.**

990 Said title is further amended by adding a new Code section to read as follows:

991 "15-12-160.1.

992 On and after 12 months after the effective date of this Act, when any person stands indicted
993 for a felony, the court shall have impaneled 30 jurors from which the defense and
994 prosecution may strike jurors; provided, however, that in any case in which the state
995 announces its intention to seek the death penalty, the court shall have impaneled 42 jurors
996 from which the defense and state may strike jurors. If, for any reason, after striking from
997 the panel there remain fewer than 12 qualified jurors to try the case, the clerk shall choose
998 and cause to be summoned such numbers of persons who are competent prospective jurors
999 as may be necessary to provide a full panel or successive panels. In making up the panel

1000 or successive panels, the clerk shall choose the names of prospective trial jurors in the same
 1001 manner as prospective trial jurors are chosen and cause such persons to be summoned."

1002 **SECTION 57.**

1003 Said title is further amended by revising Code Section 15-12-161, relating to assigning panel
 1004 to defendant, as follows:

1005 "15-12-161.

1006 The clerk shall ~~make out three lists of each panel and shall furnish one to the prosecuting~~
 1007 ~~counsel and one to the counsel for the defense. The clerk shall then call over the panel and~~
 1008 ~~it shall be immediately put upon the accused~~ provide the prosecuting attorney and the
 1009 accused with the names and identifying information relative to prospective jurors for the
 1010 case being tried."

1011 **SECTION 58.**

1012 Said title is further amended by revising subsection (b) of Code Section 15-12-164, relating
 1013 to questions on voir dire, as follows:

1014 "(b) Either the state or the ~~defendant~~ accused shall have the right to introduce evidence
 1015 before the judge to show that a juror's answers, or any of them, are untrue. It shall be the
 1016 duty of the judge to determine the truth of such answers as may be thus questioned before
 1017 the court."

1018 **SECTION 59.**

1019 Said title is further amended by revising Code Section 15-12-165, relating to number of
 1020 peremptory challenges, as follows:

1021 "15-12-165.

1022 Every person accused of a felony may peremptorily challenge nine of the jurors impaneled
 1023 to try him or her. The state shall be allowed the same number of peremptory challenges
 1024 allowed to the ~~defendant~~ accused; provided, however, that in any case in which the state
 1025 announces its intention to seek the death penalty, the ~~defendant~~ accused may peremptorily
 1026 challenge 15 jurors and the state shall be allowed the same number of peremptory
 1027 challenges."

1028 **SECTION 60.**

1029 Said title is further amended by revising Code Section 15-12-169, relating to the manner of
 1030 selecting alternative jurors, as follows:

1031 "15-12-169.
 1032 Alternate jurors ~~must~~ shall be drawn from the same source and in the same manner and
 1033 have the same qualifications as the jurors already sworn. They shall be subject to the same
 1034 examination and challenges. The number of alternate jurors shall be determined by the
 1035 court. The state and the ~~defendant~~ accused shall be entitled to as many peremptory
 1036 challenges to alternate jurors as there are alternate jurors called. The peremptory
 1037 challenges allowed to the state and to the ~~defendant~~ accused in such event shall be in
 1038 addition to the regular number of peremptory challenges allowed in criminal cases to the
 1039 ~~defendant~~ accused and to the state as provided by law. When two or more ~~defendants~~
 1040 accused are tried jointly, the number and manner of exercising peremptory challenges shall
 1041 be determined as provided in Code Section 17-8-4. This Code section shall stand repealed
 1042 and reserved 12 months after the effective date of this Act."

1043 SECTION 61.

1044 Said title is further amended by adding a new Code section to read as follows:

1045 "15-12-169.1.
 1046 On and after 12 months after the effective date of this Act, alternate jurors shall be chosen
 1047 from the same county master jury list and in the same manner and have the same
 1048 qualifications as the jurors already sworn. They shall be subject to the same examination
 1049 and challenges. The number of alternate jurors shall be determined by the court. The state
 1050 and the accused shall be entitled to as many peremptory challenges to alternate jurors as
 1051 there are alternate jurors called. The peremptory challenges allowed to the state and to the
 1052 accused in such event shall be in addition to the regular number of peremptory challenges
 1053 allowed in criminal cases to the accused and to the state as provided by law. When two or
 1054 more accused are tried jointly, the number and manner of exercising peremptory challenges
 1055 shall be determined as provided in Code Section 17-8-4."

1056 SECTION 62.

1057 Said title is further amended by revising subsection (a) of Code Section 15-16-21, relating
 1058 to fees for sheriff's services, as follows:

1059 "(a) For summoning each prospective juror, grand or trial, drawn to serve at any regular
 1060 term of any ~~city~~, state, or superior court or any ~~tales juror~~, grand or trial juror, drawn during
 1061 any term of any city, state, or superior court, the sheriff shall receive the sum of \$1.00. In
 1062 all counties in this state where the sheriff is paid a salary only, this Code section shall apply
 1063 as far as fees to be charged, but all such fees shall be turned over to the county treasurer or
 1064 fiscal officer of the county. This subsection shall stand reserved 12 months after the
 1065 effective date of this Act."

1066

SECTION 63.

1067 Title 16 of the Official Code of Georgia Annotated, relating to crimes and offenses, is
 1068 amended by revising paragraphs (1) and (2) of subsection (a) of Code Section 16-10-97,
 1069 relating to intimidation or injury of grand or petit juror or court officer, as follows:

1070 "(1) Endeavors to intimidate or impede any grand juror or ~~petit~~ trial juror or any officer
 1071 in or of any court of this state or any court of any county or municipality of this state or
 1072 any officer who may be serving at any proceeding in any such court while in the
 1073 discharge of such juror's or officer's duties;

1074 (2) Injures any grand juror or ~~petit~~ trial juror in his or her person or property on account
 1075 of any indictment or verdict assented to by him or her or on account of his or her being
 1076 or having been such juror; or"

1077

SECTION 64.

1078 Said title is further amended by revising division (9)(A)(xxxiv) of Code Section 16-14-3,
 1079 relating to definitions for RICO, as follows:

1080 "(xxxiv) Code Section 16-10-97, relating to intimidation of grand or ~~petit~~ trial juror
 1081 or court officer;"

1082

SECTION 65.

1083 Title 21 of the Official Code of Georgia Annotated, relating to elections, is amended by
 1084 revising paragraph (2) of subsection (b) of Code Section 21-2-211, relating to list of
 1085 registered electors, as follows:

1086 "(2) The Secretary of State is authorized to procure and provide all of the necessary
 1087 equipment to permit the county boards of registrars and the Council of Superior Court
 1088 Clerks of Georgia to access and utilize the official list of electors maintained by the
 1089 Secretary of State pursuant to this Code section, provided that funds are specifically
 1090 appropriated by the General Assembly for that purpose."

1091

SECTION 66.

1092 Said title is further amended by revising Code Section 21-2-225, relating to confidentiality
 1093 of original registration applications, as follows:

1094 "21-2-225.

1095 (a) Neither the original applications for voter registration nor any copies thereof shall be
 1096 open for public inspection except upon order of a court of competent jurisdiction.

1097 (b) Except as provided in Code Section 21-2-225.1, all data collected and maintained on
 1098 electors whose names appear on the list of electors maintained by the Secretary of State
 1099 pursuant to this article shall be available for public inspection with the exception of bank

1100 statements submitted pursuant to subsection (c) of Code Section 21-2-220 and
 1101 subsection (c) of Code Section 21-2-417, ~~the month and day~~ date of birth, the social
 1102 security numbers, and driver's license numbers of the electors, and the locations at which
 1103 the electors applied to register to vote, which shall remain confidential and shall be used
 1104 only for voter registration purposes; provided, however, that any and all information
 1105 relating to the dates of birth, social security numbers, and driver's license numbers of
 1106 electors may be made available to other agencies of this state, ~~agencies of other states and~~
 1107 ~~territories of the United States, and to agencies of the federal government~~ if the agency is
 1108 authorized to maintain such information and the information is used only to identify the
 1109 elector on the receiving agency's data base and is not disseminated further and remains
 1110 confidential. Information regarding an elector's year of birth shall be available for public
 1111 inspection. All information relating to dates of birth and driver's license numbers of
 1112 electors shall be made available to the Council of Superior Court Clerks of Georgia and any
 1113 vendor selected by the council for use in compiling state-wide master jury lists and county
 1114 master jury lists. The council shall be authorized to provide such data to county boards of
 1115 jury commissioners for use in compiling and maintaining county master jury lists as
 1116 provided in Chapter 12 of Title 15.

1117 (c) It shall be the duty of the Secretary of State to furnish copies of such data as may be
 1118 collected and maintained on electors whose names appear on the list of electors maintained
 1119 by the Secretary of State pursuant to this article, within the limitations provided in this
 1120 article, on electronic media or computer run list or both. Notwithstanding any other
 1121 provision of law to the contrary, the Secretary of State shall establish the cost to be charged
 1122 for such data but shall not charge the Council of Superior Court Clerks of Georgia for such
 1123 data. The Secretary of State may contract with private vendors to make such data available
 1124 in accordance with this subsection. Such data ~~may~~ shall not be used by any person for
 1125 commercial purposes. The Secretary of State shall provide such data to the Council of
 1126 Superior Court Clerks of Georgia in the electronic media format required by the council."

1127 **SECTION 67.**

1128 Said title is further amended by revising Code Section 21-2-231, relating to monthly
 1129 transmittal of information to the Secretary of State and removal of persons from the list of
 1130 electors, as follows:

1131 "(a) Unless otherwise notified by the Secretary of State, the ~~clerk of the superior court of~~
 1132 ~~each county~~ Georgia Crime Information Center shall, on or before the tenth day of each
 1133 month, prepare and transmit to the Secretary of State, in a format as prescribed by the
 1134 Secretary of State, a complete list of all persons, including addresses, ages, and other
 1135 identifying information as prescribed by the Secretary of State, who were convicted of a

1136 felony involving moral turpitude during the preceding calendar month in ~~that county~~ this
1137 state. The Secretary of State may, by agreement with the commissioner of ~~the Department~~
1138 ~~of Corrections~~ corrections, obtain criminal information relating to the conviction,
1139 sentencing, and completion of sentencing requirements of felonies involving moral
1140 turpitude. Additionally, the Secretary of State shall be authorized to obtain such criminal
1141 information relating to Georgia electors convicted of felonies involving moral turpitude,
1142 if possible, from other states.

1143 (a.1) The clerk of the superior court of each county shall, on or before the tenth day of
1144 each month, prepare and transmit to the Secretary of State, in a format ~~as~~ prescribed by the
1145 Secretary of State, a complete list of all persons, including addresses, ages, and other
1146 identifying information as prescribed by the Secretary of State, who identify themselves
1147 as not being citizens of the United States during their qualification to serve as a juror
1148 during the preceding calendar month in that county.

1149 (b) The judge of the probate court of each county shall, on or before the tenth day of each
1150 month, prepare and transmit to the Secretary of State, in a format ~~as~~ prescribed by the
1151 Secretary of State, a complete list of all persons, including addresses, ages, and other
1152 identifying information as prescribed by the Secretary of State, who were declared mentally
1153 incompetent during the preceding calendar month in the county and whose voting rights
1154 were removed.

1155 (c) Upon receipt of the lists described in subsections (a), (a.1), and (b) of this Code section
1156 and the lists of persons convicted of felonies in federal courts received pursuant to 42
1157 U.S.C. Section 1973gg-6(g), the Secretary of State shall transmit the names of such persons
1158 whose names appear on the list of electors to the appropriate county board of registrars who
1159 shall remove all such names from the list of electors and shall mail a notice of such action
1160 and the reason therefor to the last known address of such persons by first-class mail.

1161 (d) Unless otherwise notified by the Secretary of State, the local registrar of vital statistics
1162 of each county shall, on or before the tenth day of each month, prepare and transmit to the
1163 Secretary of State, in a format ~~as~~ prescribed by the Secretary of State, a complete list of all
1164 persons, including addresses, ages, and other identifying information as prescribed by the
1165 Secretary of State, who died during the preceding calendar month in the county. The
1166 Secretary of State may, by agreement with the commissioner of community health, obtain
1167 such information from the state registrar of vital statistics. Additionally, the Secretary of
1168 State is authorized to obtain such lists of deceased Georgia electors, if possible, from other
1169 states.

1170 (e) Upon receipt of the lists described in subsection (d) of this Code section, the Secretary
1171 of State or his or her designated agent shall remove all such names of deceased persons

1172 from the list of electors and shall notify the registrar in the county where the deceased
1173 person was domiciled at the time of his or her death.

1174 (f) County registrars shall initiate appropriate action regarding the right of an elector to
1175 remain on the list of qualified registered voters within 60 days after receipt of the
1176 information described in this Code section. Failure to take such action may subject the
1177 registrars or the county governing authority for whom the registrars are acting to a fine by
1178 the State Election Board.

1179 (g) The Secretary of State shall provide to the Council of Superior Court Clerks of Georgia
1180 not later than the last day of each month all information enumerated in subsections (a)
1181 through (d) of this Code section and Code Section 21-2-232 and a list of voters who have
1182 failed to vote and inactive voters, as identified pursuant to Code Sections 21-2-234 and
1183 21-2-235. Such data shall only be used by the council, the council's vendors, and county
1184 boards of jury commissioners for maintenance of state-wide master jury lists and county
1185 master jury lists. Such data shall be provided to the council or its vendors in the electronic
1186 format required by the council for such purposes."

1187 **SECTION 68.**

1188 Title 40 of the Official Code of Georgia Annotated, relating to motor vehicles and traffic, is
1189 amended by revising paragraph (7) of subsection (f) of Code Section 40-5-2, relating to
1190 keeping and furnishing of information on licensees, as follows:

1191 "(7) The lists required to be made available to boards of jury commissioners, the Council
1192 of Superior Court Clerks of Georgia, and the Administrative Office of the Courts
1193 pursuant to Code Section 15-12-40 or 15-12-40.1 regarding county residents who are the
1194 holders of drivers' licenses or personal identification cards issued pursuant to this chapter.
1195 Such lists shall identify each such person by name, address, date of birth, and gender,
1196 and, whenever racial and ethnic information is collected by the department for purposes
1197 of voter registration pursuant to Code Section 21-2-221, the department shall also provide
1198 such information. The department shall also provide the address, effective date, document
1199 issue date, and document expiration date and shall indicate whether the document is a
1200 driver's license or a personal identification card. Such information shall be provided to
1201 the Council of Superior Court Clerks of Georgia and the Administrative Office of the
1202 Courts upon request in the electronic format required by the council for such purposes
1203 and without any charge for such data."

1204 **SECTION 69.**

1205 Title 45 of the Official Code of Georgia Annotated, relating to public officers and employees,
 1206 is amended by revising subsection (i) of Code Section 45-11-4, relating to unprofessional
 1207 conduct, as follows:

1208 "(i) If a true bill is returned by the grand jury, the indictment shall, as in other cases, be
 1209 published in open court and shall be placed on the superior court criminal docket of cases
 1210 to be tried by a petit trial jury."

1211 **SECTION 70.**

1212 Title 50 of the Official Code of Georgia Annotated, relating to state government, is amended
 1213 by revising subsection (a) of Code Section 50-18-72, relating to when public disclosure of
 1214 certain records is not required and the disclosure of exempting legal authority, by adding a
 1215 new paragraph to read as follows:

1216 "(4.2) Jury list data, including, but not limited to, persons' names, dates of birth,
 1217 addresses, ages, race, gender, telephone numbers, social security numbers, and other
 1218 confidential identifying information that is collected and used by the Council of Superior
 1219 Court Clerks of Georgia for creating, compiling, and maintaining state-wide master jury
 1220 lists and county master jury lists for the purpose of establishing and maintaining county
 1221 jury source lists pursuant to the provisions of Chapter 12 of Title 15; provided, however,
 1222 that when ordered by the judge of a court having jurisdiction over a case in which a
 1223 challenge to the array of the grand or trial jury has been filed, the Council of Superior
 1224 Court Clerks of Georgia or the clerk of the county board of jury commissioners of any
 1225 county shall provide data within the time limit established by the court for the limited
 1226 purpose of such challenge. Neither the Council of Superior Court Clerks of Georgia nor
 1227 the clerk of a county board of jury commissioners shall be liable for any use or misuse
 1228 of such data;"

1229 **SECTION 71.**

1230 This Act shall become effective only if funds are specifically appropriated for purposes of
 1231 this Act in an appropriations Act making specific reference to this Act and shall become
 1232 effective when funds so appropriated become available for expenditure.

1233 **SECTION 72.**

1234 All laws and parts of laws in conflict with this Act are repealed.