

The Senate Judiciary Committee offered the following substitute to SB 191:

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:**

**SECTION 1.**

20 This Act shall be known and may be cited as the "Jury Composition Reform Act of 2011."  
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**SECTION 2.**

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

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### 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."

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### 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  
 52 under any applicable general or local law of this state or who performs duties pursuant to  
 53 paragraph (1) of subsection (a) of Code Section ~~15-12-1~~ 15-12-1.1 shall receive for his or  
 54 her services in such other court a salary of not less than \$323.59 per month, to be paid from  
 55 the funds of the county. In the event any such court for which a clerk of the superior court  
 56 is serving as clerk is abolished, the clerk of the superior court shall not be entitled to any  
 57 salary heretofore received for service in such court."

**SECTION 5.**

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

"15-12-1.

As used in this chapter, the term:

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

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

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

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

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

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

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

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

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

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

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

15-12-1.1.

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

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

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

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

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

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

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

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

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

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

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

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

## 155 SECTION 6.

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

158 "15-12-3.

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

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**SECTION 7.**

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

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"15-12-4.

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

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

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**SECTION 8.**

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

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

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**SECTION 9.**

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

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"15-12-9.

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

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### SECTION 10.

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

"15-12-10.

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

### SECTION 11.

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

"15-12-11.

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

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

(c) Juror questionnaires shall be confidential and shall be exempt from public disclosure pursuant to Code Section 50-18-70; provided, however, that jury questionnaires shall be provided to the court and to the parties at any stage of the proceedings, including pretrial, trial, appellate, or post-conviction proceedings, and shall be made a part of the record under seal. The information disclosed to a party pursuant to this subsection shall only be used by the parties for purposes of pursuing a claim, defense, or other issue in the case.

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

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

240 **SECTION 12.**

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

243 "15-12-20.

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

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

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

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



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

272 **SECTION 13.**

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

275 "(b)(1) In all counties of this state ~~having a population of not less than 183,000 and not~~  
 276 ~~more than 216,000 according to the United States decennial census for 1990 or any such~~  
 277 ~~future census~~ where the chief superior court judge of the county had the power to appoint  
 278 a jury clerk on January 1, 2011, the chief judge of the superior court of such counties  
 279 shall continue to have the power to appoint a jury clerk and such other personnel as may  
 280 be deemed necessary or advisable to dispatch the work of the court, and the appointments  
 281 to these positions and the compensation therefor shall be determined by said judge  
 282 without regard to any other system or rules, said personnel to serve at the pleasure of said  
 283 judge, and the salaries and expenses thereof, and any attendant expense of administration  
 284 of the courts are determined to be contingent expense of court, and shall be paid as  
 285 provided by law for the payment of contingent expenses. The duties of said personnel  
 286 shall be as prescribed by said judge.

287 (2) All prospective jurors in such counties shall be required to answer questionnaires as  
 288 may be determined and submitted by said chief judge of such counties concerning their  
 289 qualifications as jurors.

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

294 (4) This subsection shall be in addition and supplemental to other provisions provided  
 295 by law, with a view toward efficient and orderly handling of jury selection and the  
 296 administration of justice."

297 **SECTION 14.**

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

300 "15-12-24.

301 Jury commissioners shall receive \$50.00 ~~for each day's service in~~ per diem for revising the  
 302 county master jury lists, to be paid from funds from the county treasury. The clerk ~~of the~~  
 303 ~~board~~ shall receive \$50.00 to be paid in like manner. The chief judge of the superior court  
 304 of the judicial circuit in which the county lies shall have the right, subject to the approval

305 of the governing authority of the county, to increase the compensation provided by this  
 306 Code section for the jury commissioners and clerk in an amount not exceeding \$100.00 ~~for~~  
 307 ~~each day's service~~ per diem, to be paid in like manner."

308 **SECTION 15.**

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

311 "15-12-40.

312 (a) **Nonmechanical procedure.**

313 (1) At least biennially, unless otherwise directed by the chief judge of the superior court,  
 314 the board of jury commissioners shall compile, maintain, and revise a trial jury list of  
 315 upright and intelligent citizens of the county to serve as trial jurors and a grand jury list  
 316 of the most experienced, intelligent, and upright citizens of the county to serve as grand  
 317 jurors. In composing the trial jury list, the board of jury commissioners shall select a  
 318 fairly representative cross section of the intelligent and upright citizens of the county. In  
 319 composing the grand jury list, the board of jury commissioners shall select a fairly  
 320 representative cross section of the most experienced, intelligent, and upright citizens of  
 321 the county. In carrying out revisions of the trial jury list and grand jury list on or after  
 322 July 1, 2002, the board of jury commissioners shall make use of all of the following:

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

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

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

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

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

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

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

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

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

356 (3) The trial jury box for the county shall be taken from the trial jury list established by  
357 the board of jury commissioners, and the grand jury box for the county shall be taken  
358 from the grand jury list established by the board of jury commissioners. The information  
359 contained in the trial and grand jury boxes shall be stored in a security data processing  
360 storage bank from which all trial or grand juries in the county shall be selected as  
361 provided in the plan adopted pursuant to Code Section 15-12-42.

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

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

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

374 **(c) Other disposition or transfer.** In any county in which more than 70 percent of the  
375 population of the county according to the United States decennial census of 1980 or any  
376 future such census resides on property of the United States government which is exempt

377 from taxation by this state, the population of the county for the purpose of this Code section  
 378 shall be deemed to be the total population of the county minus the population of the county  
 379 which resides on property of the United States government other than persons who reside  
 380 on property of the United States government within such county who are registered voters  
 381 according to the official registered voters list of the county as most recently revised by the  
 382 county board of registrars or other county election officials and any persons who reside on  
 383 property of the United States government within such county who are not registered voters  
 384 and who have requested in writing to the board of jury commissioners that their names be  
 385 included on the list from which citizens are selected to serve as jurors and grand jurors by  
 386 the board of jury commissioners.

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

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

392 (2) The Department of Driver Services shall provide the Administrative Office of the  
 393 Courts the list required by subparagraph (a)(1)(A) of this Code section and the  
 394 information set forth in the undesignated text of paragraph (1) of subsection (a) of this  
 395 Code section.

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

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

400 **SECTION 16.**

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

403 "15-12-40.1.

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

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

410 (b) Beginning on and after the effective date of this Act, upon the council's request, the  
 411 Department of Driver Services shall provide the council and the Administrative Office of  
 412 the Courts a list, which includes the name, address, city of residence, date of birth, gender,

413 driver's license or personal identification card number issued pursuant to the provisions of  
 414 Chapter 5 of Title 40, and, whenever racial and ethnic information is collected by the  
 415 Department of Driver Services for purposes of voter registration pursuant to Code Section  
 416 21-2-221, racial and ethnic information. The Department of Driver Services shall also  
 417 provide the address, effective date, document issue date, and document expiration date;  
 418 shall indicate whether the document is a driver's license or a personal identification card;  
 419 and shall exclude persons whose driver's license has been suspended or revoked due to a  
 420 felony conviction. Such lists shall be in electronic format as required by the council.

421 (c) Beginning on and after the effective date of this Act, upon request by the council, the  
 422 Secretary of State shall provide to the council and the Administrative Office of the Courts,  
 423 without cost, the list of registered voters, including the voter's date of birth, gender, race,  
 424 social security number, driver's license number, and when it is available, the voter's  
 425 ethnicity. It shall also be the duty of the Secretary of State to provide the council and the  
 426 Administrative Office of the Courts, in electronic format, with a copy of the lists of  
 427 persons:

428 (1) Who have been convicted of felonies in state or federal courts who have not had their  
 429 civil rights restored or who have been declared mentally incompetent; and

430 (2) Whose voting rights have been removed

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

433 (d) Each county's board of jury commissioners shall obtain its county master jury list from  
 434 the council. The council shall disseminate, in electronic format, a county master jury list  
 435 to the respective counties' boards of jury commissioners once each calendar year. The  
 436 council shall determine the fee to be assessed each county board of jury commissioners for  
 437 such list, provided that such fee shall not exceed 3¢ per name on the list. The council shall  
 438 invoice each county board of jury commissioners upon the delivery of the county master  
 439 jury list, and the county board of jury commissioners shall remit payment within 30 days  
 440 of the invoice.

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

#### 443 **SECTION 17.**

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

446 "15-12-40.2.

447 It shall be the duty of the county board of registrars to provide the board of jury  
 448 commissioners with a copy of the lists of persons who have been convicted of felonies in

449 state or federal courts or who have been declared mentally incompetent and whose voting  
 450 rights have been removed, which lists are provided to the county board of registrars by the  
 451 Secretary of State pursuant to Code Section 21-2-231. Upon receipt of such list, it shall be  
 452 the duty of the board of jury commissioners to remove such names from the trial and grand  
 453 jury lists and to mail a notice of such action and the reason therefor to the last known  
 454 address of such persons by first-class mail. This Code section shall stand repealed and  
 455 reserved 12 months after the effective date of this Act."

456 **SECTION 18.**

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

459 "15-12-41.

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

464 **SECTION 19.**

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

467 "15-12-42.

468 (a) **Nonmechanical procedure.**

469 (1) The jury commissioners shall place tickets containing all the names of grand jurors  
 470 in a box to be provided at public expense, which box shall contain compartments marked  
 471 number 'one' and number 'two,' from which grand jurors shall be drawn; the  
 472 commissioners shall place the tickets containing all the names of trial jurors in a separate  
 473 box from which trial jurors shall be drawn, the box having two separate compartments  
 474 similar in design to the grand jurors' box. The tickets with the jurors' names shall be  
 475 placed in compartment number 'one.' When each ticket is drawn and the name thereon is  
 476 recorded on the proper form or list, the ticket so drawn shall be placed in compartment  
 477 number 'two.' Only when all the tickets have been drawn from compartment number 'one'  
 478 may the process of drawing jurors' names from compartment number 'two' begin, and  
 479 then only when all the tickets have been drawn from compartment number 'two' may the  
 480 process of drawing jurors' names from compartment number 'one' begin again.

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

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

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

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

497 (2) The plan:

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

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

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

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

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

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

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

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

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

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

531 (c) **Contract for mechanical or electronic juror selection.** A county utilizing  
 532 mechanical or electronic means for the selection of jurors may, under proper court rule,  
 533 contract for the drawing of their respective trial and grand jurors with any entity with which  
 534 a county may contract under Article IX, Section III, Paragraph I, subparagraph (a) of the  
 535 Constitution and with any private business or entity within this state, but any such contract  
 536 shall ensure that proper safeguards are maintained as provided in paragraph (2) of  
 537 subsection (b) of this Code section. The drawing may be held outside of the county so  
 538 contracting by a judge of the circuit or his or her designee upon proper posting and  
 539 advertising in the county legal organ of the rule of court allowing this service to be  
 540 performed for the county.

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

543 **SECTION 20.**

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

546 "15-12-43.

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

551 (b) In counties utilizing mechanical or electronic means for the selection of trial and grand  
 552 jurors, a computer printout, alphabetically arranged, shall constitute the official jury list.  
 553 The clerk ~~of the superior court~~ shall bind such list after it has been certified by the clerk



554 and the jury commissioners to contain, respectively, all of the names in the electronic data  
555 cell comprising the jury boxes.

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

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

560 **SECTION 21.**

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

562 "15-12-43.1.

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

566 **SECTION 22.**

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

569 "15-12-44.

570 (a) **Nonmechanical procedure.** When the jury list and jury box, or either, are lost or  
571 destroyed between the time of drawing juries and the beginning of the term for which the  
572 drawing was made, or before the service of the precepts on the persons named therein, the  
573 chief judge of the circuit in which such loss or destruction occurs, immediately on being  
574 informed thereof, shall issue an order to the jury commissioners of the county to meet at  
575 the county site and prepare a list of citizens eligible to serve as jurors under the  
576 Constitution of the state, which list shall contain the names of not less than two-thirds of  
577 the upright and intelligent citizens of the county. From this list the commissioners shall  
578 select a sufficient number, not exceeding two-fifths of the whole, taking for this purpose  
579 the names of the most experienced, intelligent, and upright citizens, and, from the list so  
580 selected, shall at once proceed to draw 30 names of persons to serve as grand jurors at the  
581 next term of the court. From the remaining three-fifths of the names on the list, the  
582 commissioners shall then proceed to draw, in the same manner, not less than 36 to serve  
583 as trial jurors at the next term of the court. When the drawings have been completed, the  
584 commissioners shall immediately make out and deliver to the clerk ~~of the superior court~~  
585 correct lists of the grand and trial jurors so drawn, and the clerk shall at once deliver to the  
586 sheriff, or to the coroner in case the sheriff shall be disqualified, proper precepts containing  
587 the names of the persons drawn to serve as grand and trial jurors, respectively, to be served  
588 personally, as required by law. The persons so drawn and served, if otherwise eligible,

589 shall be competent to serve as jurors during the term for which they were drawn, without  
 590 regard to the time of the preparation of the list, the drawing of the jurors, or the date of the  
 591 service of the venire on the persons whose names are contained therein.

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

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

599 **SECTION 23.**

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

601 "15-12-44.1.

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

608 **SECTION 24.**

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

611 "15-12-45.

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

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

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

629 **SECTION 25.**

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

632 "15-12-46.

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

639 **SECTION 26.**

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

642 "15-12-60.

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

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

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

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

654 **SECTION 27.**

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

657 "(b) The grand jury shall be authorized to request the ~~foreman or clerk~~ foreperson of the  
 658 previous grand jury to appear before it for the purpose of reviewing and reporting the  
 659 actions of the immediately preceding grand jury if the succeeding grand jury determines  
 660 that such service would be beneficial. While serving a succeeding grand jury, the ~~foreman~~  
 661 ~~or clerk~~ foreperson of the immediately preceding grand jury shall receive the same  
 662 compensation as ~~to~~ other members of the grand jury. Any person serving as ~~foreman or~~  
 663 ~~clerk~~ foreperson of a grand jury and then ~~being~~ requested to report to an immediately  
 664 succeeding grand jury shall not be eligible to again serve as a grand juror ~~during~~ for one  
 665 year following the conclusion of such earlier service."

666

### SECTION 28.

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

669

"15-12-62.

670

(a) The judges of the superior courts, at the close of each term, in open court, shall unlock  
 671 the box and break the seal and shall cause to be drawn from compartment number 'one' not  
 672 less than 18 nor more than 75 names to serve as grand jurors at the next term of the court,  
 673 all of which names shall be deposited in compartment number 'two.' When all the names  
 674 have been drawn out of compartment number 'one,' then the drawing shall commence from  
 675 compartment number 'two,' and the tickets shall be returned to number 'one,' and so on  
 676 alternately. No name so deposited in the box shall, on any pretense whatever, be thrown  
 677 out of it or destroyed except when it is satisfactorily shown to the judge that the juror is  
 678 dead, removed out of the county, or otherwise disqualified by law.

679

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

684

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

686

### SECTION 29.

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

688

"15-12-62.1.

689

On and after 12 months after the effective date of this Act, the clerk shall choose a  
 690 sufficient number of persons to serve as grand jurors. The clerk, not less than 20 days  
 691 before the commencement of each term of court at which a regular grand jury is impaneled,

692 shall issue summonses by mail to the persons chosen for grand jury service. The clerk shall  
 693 choose grand jurors in the manner specified by and in accordance with the rules adopted  
 694 by the Supreme Court."

695 **SECTION 30.**

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

698 "15-12-63.

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

702 **SECTION 31.**

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

705 "15-12-64.

706 Whenever from any cause the judge fails to draw a grand jury as provided in Code Section  
 707 15-12-62, the judge of the probate court of the county in which such failure occurred,  
 708 together with the jury commissioners and the clerk ~~of the superior court~~, shall meet at the  
 709 courthouse at least 20 days prior to the next ensuing term of the court, whether such term  
 710 is a regular or special term, and then and there shall draw grand jurors to serve at that term,  
 711 which proceedings shall be duly entered by the clerk on the minutes of the court and shall  
 712 be signed by the judge of the probate court. This Code section shall stand repealed  
 713 reserved 12 months after the effective date of this Act."

714 **SECTION 32.**

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

717 "15-12-65.

718 (a) **Counties utilizing nonmechanical selection procedures.** Within 30 days after the  
 719 grand jurors have been drawn by a judge of the superior court or within five days after they  
 720 have been drawn by the judge of the probate court and the commissioners as provided in  
 721 Code Section 15-12-64, the clerk ~~of the superior court~~ shall issue and deliver to the sheriff  
 722 or his or her deputy a precept containing the names of the persons drawn as grand jurors.  
 723 Upon the receipt of the precept, the sheriff or his or her deputy shall cause the persons  
 724 whose names are therein written to be served personally or by leaving the summons at their  
 725 most notorious places of residence at least ten days prior to the term of the court the jurors

726 were drawn to attend; provided, however, the sheriff may, in his or her discretion, serve the  
 727 persons whose names appear on the precept by sending the summons by certified United  
 728 States mail or statutory overnight delivery, return receipt requested, addressed to their most  
 729 notorious places of abode at least 15 days prior to the term of the court the jurors were  
 730 drawn to attend. Failure to receive the notice personally shall be a defense to a contempt  
 731 citation.

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

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

741 **SECTION 33.**

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

743 "15-12-65.1.

744 On and after 12 months after the effective date of this Act, the clerk shall be authorized to  
 745 mail all summonses by first-class mail addressed to the prospective jurors' most notorious  
 746 places of abode at least 25 days prior to the date of the court the prospective jurors shall  
 747 attend. Failure to receive the notice personally shall be a defense to a contempt citation."

748 **SECTION 34.**

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

751 "15-12-66.

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

758 **SECTION 35.**

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

760 "15-12-66.1.  
 761 On and after 12 months after the effective date of this Act, when from challenge or from  
 762 any other cause there are not a sufficient number of persons in attendance to complete the  
 763 panel of jurors, the clerk shall choose prospective trial jurors from the county master jury  
 764 list and summon the jurors so chosen."

### 765 SECTION 36.

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

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

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

### 780 SECTION 37.

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

783 "(b) Until 12 months after the effective date of this Act, the ~~The~~ chief judge of the superior  
 784 court of the county shall submit the question of impaneling a special grand jury to the  
 785 judges of the superior court of the county and, if a majority of the total number of the  
 786 judges vote in favor of impaneling a special grand jury, the members of a special grand jury  
 787 shall be drawn in the manner prescribed by Code Section 15-12-62. On and after 12  
 788 months after the effective date of this Act, the chief judge of the superior court of the  
 789 county shall submit the question of impaneling a special grand jury to the judges of the  
 790 superior court of the county and, if a majority of the total number of the judges vote in  
 791 favor of impaneling a special grand jury, the members of a special grand jury shall be  
 792 chosen in the manner prescribed by Code Section 15-12-62.1. Any special grand jury shall  
 793 consist of not less than 16 nor more than 23 persons. The ~~foreman~~ foreperson of any  
 794 special grand jury shall be selected in the manner prescribed by Code Section 15-12-67."

795 **SECTION 38.**

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

798 "15-12-120.

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

805 **SECTION 39.**

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

807 "15-12-120.1.

808 On and after 12 months after the effective date of this Act, trial juries shall be chosen from  
 809 a county master jury list. The presiding judge shall order the clerk to choose the number  
 810 of jurors necessary to conduct the business of the court. The clerk shall choose the names  
 811 of persons to serve as trial jurors for the trial of civil and criminal cases in the court. Such  
 812 trial jurors shall be summoned in the same manner as provided in Code Section  
 813 15-12-65.1."

814 **SECTION 40.**

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

817 "15-12-121.

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

822 **SECTION 41.**

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

825 "15-12-124.

826 When from challenge or from any other cause there is not a sufficient number of persons  
 827 in attendance to complete a panel of trial jurors, the judge shall draw tales jurors from the  
 828 jury box of the county and shall order the sheriff to summon the jurors so drawn. When the



829 sheriff or his or her deputy is disqualified to summon tales jurors, they may be summoned  
 830 by the coroner or such other person as the judge may appoint after their names have first  
 831 been drawn from the jury box by the judge as above provided. This Code section shall  
 832 stand repealed and reserved 12 months after the effective date of this Act."

833 **SECTION 42.**

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

835 "15-12-124.1.

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

840 **SECTION 43.**

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

843 "15-12-125.

844 For the trial of misdemeanors in all courts, each party may demand a full panel of 12  
 845 competent and impartial jurors from which to select a jury. When one or more of the  
 846 regular panel of trial jurors is absent or for any reason disqualified, the judge, at the request  
 847 of counsel for either party, shall cause the panel to be filled by additional competent and  
 848 impartial jurors to the number of 12 before requiring the parties or their counsel to strike  
 849 a jury. From this panel, the ~~defendant~~ accused and the state shall each have the right to  
 850 challenge three jurors peremptorily. The ~~defendant~~ accused and the state shall exercise  
 851 their challenges as provided in Code Section 15-12-166. The remaining six jurors shall  
 852 constitute the jury."

853 **SECTION 44.**

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

856 "15-12-126.

857 When the regular panels of trial jurors cannot be furnished to make up panels of the correct  
 858 number from which to take juries in misdemeanor cases because of the absence of any of  
 859 such panels, where they, or any part of them, are engaged in the consideration of a case,  
 860 the presiding judge may cause the panels to be filled by summoning such numbers of  
 861 persons who are competent jurors as may be necessary to fill the panels. Such panels shall  
 862 be used as the regular panels are used. The presiding judge shall draw the additional

863 competent and impartial jurors from the jury box of the county and shall order the sheriff  
 864 to summon them in the event that there are not sufficient jurors. This Code section shall  
 865 stand repealed and reserved 12 months after the effective date of this Act."

866 **SECTION 45.**

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

868 "15-12-126.1.

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

877 **SECTION 46.**

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

880 "15-12-127.

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

884 **SECTION 47.**

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

887 "15-12-128.

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

893 **SECTION 48.**

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

896 "15-12-129.  
 897 Whenever the session of any court of record is prolonged beyond the week or period for  
 898 which juries were drawn at the close of the preceding term, or where the judge anticipates  
 899 that the same is about to be so prolonged, or where from any other cause the court has  
 900 convened or is about to convene and there have been no juries drawn for the same, the  
 901 judge, in the manner prescribed for drawing juries at the close of the regular term, shall  
 902 draw such juries as may be necessary and shall cause them to be summoned. This Code  
 903 section shall stand repealed and reserved 12 months after the effective date of this Act."

904 **SECTION 49.**

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

906 "15-12-129.1.  
 907 On and after 12 months after the effective date of this Act, whenever the session of any  
 908 court of record is prolonged beyond the week or period for which jurors were electronically  
 909 selected at the close of the preceding term, or where the judge anticipates that the same is  
 910 about to be so prolonged, or where from any other cause the court has convened or is about  
 911 to convene and there have been no jurors chosen for the same, the clerk, in the same  
 912 manner prescribed for choosing prospective jurors at the close of the regular term, shall  
 913 choose the names of prospective jurors and shall cause them to be summoned."

914 **SECTION 50.**

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

918 "15-12-130.  
 919 (a) In any county of this state where there is located any court or courts having  
 920 county-wide jurisdiction concurrent with the superior courts of this state to try any, all, or  
 921 any type of case not within the exclusive jurisdiction of the superior courts of this state, any  
 922 prospective trial juror drawn, selected, and summoned for service in the trial of civil and  
 923 criminal cases in the superior court of such county shall be legally competent and qualified  
 924 to serve as a prospective juror in any such other court or courts located in the county for  
 925 the same period of time as he or she is competent and qualified to serve as a prospective  
 926 trial juror in the superior court of the county.  
 927 (b) Subsection (a) of this Code section shall be applicable only if:  
 928 (1) At the time the names of trial jurors are drawn by the judge of the superior court in  
 929 accordance with Code Section 15-12-120, the judge who draws the jurors shall announce  
 930 in open court the name or names of the court or courts other than the superior court

931 wherein the jurors shall be competent and qualified to serve by virtue of this Code  
932 section;

933 (2) The precept issued by the clerk ~~of the superior court~~ in accordance with Code Section  
934 15-12-65 shows that the jurors listed thereon are qualified and competent to serve as  
935 jurors in courts other than the superior court and shows the name of such court or courts;  
936 and

937 (3) The summons served upon or sent to each of the jurors pursuant to Code Section  
938 15-12-65 affirmatively shows the name of all the courts wherein the juror is eligible to  
939 serve.

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

942 **SECTION 51.**

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

944 "15-12-130.1.

945 (a) On and after 12 months after the effective date of this Act, in any county of this state  
946 where there is located any court or courts having county-wide jurisdiction concurrent with  
947 the superior courts of this state to try any, all, or any type of case not within the exclusive  
948 jurisdiction of the superior courts of this state, any prospective trial juror chosen and  
949 summoned for service in the trial of civil and criminal cases in the superior court of such  
950 county shall be legally competent and qualified to serve as a prospective juror in any such  
951 other court or courts located in the county for the same period of time as he or she is  
952 competent and qualified to serve as a prospective trial juror in the superior court of the  
953 county.

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

956 **SECTION 52.**

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

959 "15-12-132.

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

961 'You shall give true answers to all questions as may be asked by the court or its authority,  
962 including all questions asked by the parties or their attorneys, concerning your  
963 qualifications as jurors in the case of \_\_\_\_\_ (herein state the case). So help  
964 you God.'

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

966

**SECTION 53.**

967

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

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969

"15-12-133.

970

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

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**SECTION 54.**

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

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987

"15-12-139.

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

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

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

993

**SECTION 55.**

994

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

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996

"15-12-160.

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When any person stands indicted for a felony, the court shall have impaneled 30 jurors from which the defense and prosecution may strike jurors; provided, however, that in any case in which the state announces its intention to seek the death penalty, the court shall have impaneled 42 jurors from which the defense and state may strike jurors. If, for any

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1001 reason, after striking from the panel there remain less than 12 qualified jurors to try the  
 1002 case, the presiding judge shall summon such numbers of persons who are competent  
 1003 prospective jurors as may be necessary to provide a full panel or successive panels. In  
 1004 making up the panel or successive panels, the presiding judge shall draw the tales jurors  
 1005 from the jury box of the county and shall order the sheriff to summon them. This Code  
 1006 section shall stand repealed and reserved 12 months after the effective date of this Act."

#### 1007 **SECTION 56.**

1008 Said title is further amended by adding a new Code section to read as follows:

1009 "15-12-160.1.

1010 On and after 12 months after the effective date of this Act, when any person stands indicted  
 1011 for a felony, the court shall have impaneled 30 jurors from which the defense and  
 1012 prosecution may strike jurors; provided, however, that in any case in which the state  
 1013 announces its intention to seek the death penalty, the court shall have impaneled 42 jurors  
 1014 from which the defense and state may strike jurors. If, for any reason, after striking from  
 1015 the panel there remain fewer than 12 qualified jurors to try the case, the clerk shall choose  
 1016 and cause to be summoned such numbers of persons who are competent prospective jurors  
 1017 as may be necessary to provide a full panel or successive panels. In making up the panel  
 1018 or successive panels, the clerk shall choose the names of prospective trial jurors in the same  
 1019 manner as prospective trial jurors are chosen and cause such persons to be summoned."

#### 1020 **SECTION 57.**

1021 Said title is further amended by revising Code Section 15-12-161, relating to assigning panel  
 1022 to defendant, as follows:

1023 "15-12-161.

1024 The clerk shall ~~make out three lists of each panel and shall furnish one to the prosecuting~~  
 1025 ~~counsel and one to the counsel for the defense. The clerk shall then call over the panel and~~  
 1026 ~~it shall be immediately put upon the accused provide the prosecuting attorney and the~~  
 1027 ~~accused with the names and identifying information relative to prospective jurors for the~~  
 1028 ~~case being tried."~~

#### 1029 **SECTION 58.**

1030 Said title is further amended by revising subsection (b) of Code Section 15-12-164, relating  
 1031 to questions on voir dire, as follows:

1032 "(b) Either the state or the ~~defendant~~ accused shall have the right to introduce evidence  
 1033 before the judge to show that a juror's answers, or any of them, are untrue. It shall be the

1034 duty of the judge to determine the truth of such answers as may be thus questioned before  
1035 the court."

1036 **SECTION 59.**

1037 Said title is further amended by revising Code Section 15-12-165, relating to number of  
1038 peremptory challenges, as follows:

1039 "15-12-165.

1040 Every person accused of a felony may peremptorily challenge nine of the jurors impaneled  
1041 to try him or her. The state shall be allowed the same number of peremptory challenges  
1042 allowed to the ~~defendant~~ accused; provided, however, that in any case in which the state  
1043 announces its intention to seek the death penalty, the ~~defendant~~ accused may peremptorily  
1044 challenge 15 jurors and the state shall be allowed the same number of peremptory  
1045 challenges."

1046 **SECTION 60.**

1047 Said title is further amended by revising Code Section 15-12-169, relating to the manner of  
1048 selecting alternative jurors, as follows:

1049 "15-12-169.

1050 Alternate jurors ~~must~~ shall be drawn from the same source and in the same manner and  
1051 have the same qualifications as the jurors already sworn. They shall be subject to the same  
1052 examination and challenges. The number of alternate jurors shall be determined by the  
1053 court. The state and the ~~defendant~~ accused shall be entitled to as many peremptory  
1054 challenges to alternate jurors as there are alternate jurors called. The peremptory  
1055 challenges allowed to the state and to the ~~defendant~~ accused in such event shall be in  
1056 addition to the regular number of peremptory challenges allowed in criminal cases to the  
1057 ~~defendant~~ accused and to the state as provided by law. When two or more ~~defendants~~  
1058 accused are tried jointly, the number and manner of exercising peremptory challenges shall  
1059 be determined as provided in Code Section 17-8-4. This Code section shall stand repealed  
1060 and reserved 12 months after the effective date of this Act."

1061 **SECTION 61.**

1062 Said title is further amended by adding a new Code section to read as follows:

1063 "15-12-169.1.

1064 On and after 12 months after the effective date of this Act, alternate jurors shall be chosen  
1065 from the same county master jury list and in the same manner and have the same  
1066 qualifications as the jurors already sworn. They shall be subject to the same examination  
1067 and challenges. The number of alternate jurors shall be determined by the court. The state

1068 and the accused shall be entitled to as many peremptory challenges to alternate jurors as  
 1069 there are alternate jurors called. The peremptory challenges allowed to the state and to the  
 1070 accused in such event shall be in addition to the regular number of peremptory challenges  
 1071 allowed in criminal cases to the accused and to the state as provided by law. When two or  
 1072 more accused are tried jointly, the number and manner of exercising peremptory challenges  
 1073 shall be determined as provided in Code Section 17-8-4."

1074 **SECTION 62.**

1075 Said title is further amended by revising subsection (a) of Code Section 15-16-21, relating  
 1076 to fees for sheriff's services, as follows:

1077 "(a) For summoning each prospective juror, grand or trial, drawn to serve at any regular  
 1078 term of any ~~city, state, or superior court~~ or any ~~tales~~ juror, grand or trial juror, drawn during  
 1079 any term of any city, state, or superior court, the sheriff shall receive the sum of \$1.00. In  
 1080 all counties in this state where the sheriff is paid a salary only, this Code section shall apply  
 1081 as far as fees to be charged, but all such fees shall be turned over to the county treasurer or  
 1082 fiscal officer of the county. This subsection shall stand reserved 12 months after the  
 1083 effective date of this Act."

1084 **SECTION 63.**

1085 Title 16 of the Official Code of Georgia Annotated, relating to crimes and offenses, is  
 1086 amended by revising paragraphs (1) and (2) of subsection (a) of Code Section 16-10-97,  
 1087 relating to intimidation or injury of grand or petit juror or court officer, as follows:

- 1088 "(1) Endeavors to intimidate or impede any grand juror or ~~petit~~ trial juror or any officer  
 1089 in or of any court of this state or any court of any county or municipality of this state or  
 1090 any officer who may be serving at any proceeding in any such court while in the  
 1091 discharge of such juror's or officer's duties;
- 1092 (2) Injures any grand juror or ~~petit~~ trial juror in his or her person or property on account  
 1093 of any indictment or verdict assented to by him or her or on account of his or her being  
 1094 or having been such juror; or"

1095 **SECTION 64.**

1096 Said title is further amended by revising division (9)(A)(xxxiv) of Code Section 16-14-3,  
 1097 relating to definitions for RICO, as follows:

1098 "(xxxiv) Code Section 16-10-97, relating to intimidation of grand or ~~petit~~ trial juror  
 1099 or court officer;"



**SECTION 65.**

Title 21 of the Official Code of Georgia Annotated, relating to elections, is amended by revising Code Section 21-2-231, relating to monthly transmittal of information to the Secretary of State and removal of persons from the list of electors, as follows:

"21-2-231.

(a) Unless otherwise notified by the Secretary of State, the ~~clerk of the superior court of each county~~ Georgia Crime Information Center shall, on or before the tenth day of each month, prepare and transmit to the Secretary of State, ~~in a format as prescribed by the Secretary of State,~~ a complete list of all persons, including ~~addresses, ages, and other identifying~~ dates of birth, social security numbers, and other information as prescribed by the Secretary of State, who were convicted of a felony ~~involving moral turpitude in this state since~~ during the preceding calendar month in that county reporting period. The Secretary of State may, by agreement with the commissioner of ~~the Department of Corrections~~ corrections, obtain criminal information relating to the conviction, sentencing, and completion of sentencing requirements of felonies ~~involving moral turpitude~~. Additionally, the Secretary of State shall be authorized to obtain such criminal information relating to Georgia electors convicted of ~~felonies involving moral turpitude, if possible, from other states~~ a felony in another state, if such information is available.

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

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

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

1136 (d) Unless otherwise notified by the Secretary of State, the local registrar of vital statistics  
 1137 of each county shall, on or before the tenth day of each month, prepare and transmit to the  
 1138 Secretary of State, in a format as prescribed by the Secretary of State, a complete list of all  
 1139 persons, including addresses, ages, and other identifying information as prescribed by the  
 1140 Secretary of State, who died during the preceding calendar month in the county. The  
 1141 Secretary of State may, by agreement with the commissioner of community health, obtain  
 1142 such information from the state registrar of vital statistics. Additionally, the Secretary of  
 1143 State is authorized to obtain such lists of deceased Georgia electors, if possible, from other  
 1144 states.

1145 (e) Upon receipt of the lists described in subsection (d) of this Code section, the Secretary  
 1146 of State or his or her designated agent shall remove all such names of deceased persons  
 1147 from the list of electors and shall notify the registrar in the county where the deceased  
 1148 person was domiciled at the time of his or her death.

1149 (f) County registrars shall initiate appropriate action regarding the right of an elector to  
 1150 remain on the list of qualified registered voters within 60 days after receipt of the  
 1151 information described in this Code section. Failure to take such action may subject the  
 1152 registrars or the county governing authority for whom the registrars are acting to a fine by  
 1153 the State Election Board.

1154 (g) The Secretary of State shall provide to the Council of Superior Court Clerks of Georgia  
 1155 not later than the last day of each month all information enumerated in subsections (a)  
 1156 through (d) of this Code section and Code Section 21-2-232 and a list of voters who have  
 1157 failed to vote and inactive voters, as identified pursuant to Code Sections 21-2-234 and  
 1158 21-2-235. Such data shall only be used by the council, the council's vendors, and county  
 1159 boards of jury commissioners for maintenance of state-wide master jury lists and county  
 1160 master jury lists. Such data shall be provided to the council or its vendors in the electronic  
 1161 format required by the council for such purposes."

## 1162 SECTION 66.

1163 Title 40 of the Official Code of Georgia Annotated, relating to motor vehicles and traffic, is  
 1164 amended by revising paragraph (7) of subsection (f) of Code Section 40-5-2, relating to  
 1165 keeping and furnishing of information on licensees, as follows:

1166 "(7) The lists required to be made available to boards of jury commissioners, the Council  
 1167 of Superior Court Clerks of Georgia, and the Administrative Office of the Courts  
 1168 pursuant to Code Section 15-12-40 or 15-12-40.1 regarding county residents who are the  
 1169 holders of drivers' licenses or personal identification cards issued pursuant to this chapter.  
 1170 Such lists shall identify each such person by name, address, date of birth, and gender,  
 1171 and, whenever racial and ethnic information is collected by the department for purposes

1172 of voter registration pursuant to Code Section 21-2-221, the department shall also provide  
 1173 such information. The department shall also provide the address, effective date, document  
 1174 issue date, and document expiration date and shall indicate whether the document is a  
 1175 driver's license or a personal identification card. Such information shall be provided to  
 1176 the Council of Superior Court Clerks of Georgia and the Administrative Office of the  
 1177 Courts upon request in the electronic format required by the council for such purposes  
 1178 and without any charge for such data."

#### 1179 SECTION 67.

1180 Title 45 of the Official Code of Georgia Annotated, relating to public officers and employees,  
 1181 is amended by revising subsection (i) of Code Section 45-11-4, relating to unprofessional  
 1182 conduct, as follows:

1183 "(i) If a true bill is returned by the grand jury, the indictment shall, as in other cases, be  
 1184 published in open court and shall be placed on the superior court criminal docket of cases  
 1185 to be tried by a petit trial jury."

#### 1186 SECTION 68.

1187 Title 50 of the Official Code of Georgia Annotated, relating to state government, is amended  
 1188 by revising subsection (a) of Code Section 50-18-72, relating to when public disclosure of  
 1189 certain records is not required and the disclosure of exempting legal authority, by adding a  
 1190 new paragraph to read as follows:

1191 "(4.2) Jury list data, including, but not limited to, persons' names, dates of birth,  
 1192 addresses, ages, race, gender, telephone numbers, social security numbers, and when it  
 1193 is available, the person's ethnicity, and other confidential identifying information that is  
 1194 collected and used by the Council of Superior Court Clerks of Georgia for creating,  
 1195 compiling, and maintaining state-wide master jury lists and county master jury lists for  
 1196 the purpose of establishing and maintaining county jury source lists pursuant to the  
 1197 provisions of Chapter 12 of Title 15; provided, however, that when ordered by the judge  
 1198 of a court having jurisdiction over a case in which a challenge to the array of the grand  
 1199 or trial jury has been filed, the Council of Superior Court Clerks of Georgia or the clerk  
 1200 of the county board of jury commissioners of any county shall provide data within the  
 1201 time limit established by the court for the limited purpose of such challenge. Neither the  
 1202 Council of Superior Court Clerks of Georgia nor the clerk of a county board of jury  
 1203 commissioners shall be liable for any use or misuse of such data;"

1204

**SECTION 69.**

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

1208

**SECTION 70.**

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