

The House Committee on Judiciary offers the following substitute to HB 763:

A BILL TO BE ENTITLED
AN ACT

1 To amend Chapter 12 of Title 15 of the Official Code of Georgia Annotated, relating to
2 juries, so as to clarify that certain persons shall be ineligible to serve as trial or grand jurors;
3 to provide for the use of jurors summoned prior to the compilation of county master jury
4 lists; to revise provisions relating to the qualifications of grand jurors; to provide for related
5 matters; to repeal conflicting laws; to provide for an effective date; and for other purposes.

6 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

7 **SECTION 1.**

8 Chapter 12 of Title 15 of the Official Code of Georgia Annotated, relating to juries, is
9 amended by enacting a new Code Section 15-12-40 to read as follows:

10 "15-12-40.

11 Any person who has been convicted of a felony in a state or federal court who has not had
12 his or her civil rights restored and any person who has been judicially determined to be
13 mentally incompetent shall not be eligible to serve as a trial juror."

14 **SECTION 2.**

15 Said chapter is further amended by revising subsection (e) of Code Section 15-12-40.1,
16 relating to the state-wide master jury list, driver's license information, list of registered
17 voters, and random list of persons to comprise venire, as follows:

18 "(e) On and after July 1, 2012, in each county, upon court order, the clerk shall choose a
19 random list of persons from the county master jury list to comprise the venire; provided,
20 however, that jurors summoned prior to July 1, 2012, shall remain eligible to comprise the
21 venire."

22 **SECTION 3.**

23 Said chapter is further amended by revising Code Section 15-12-60, relating to the
24 qualifications of grand jurors, as follows:

25 "15-12-60.

26 (a) ~~Except as provided in subsection (b) of this Code section, all citizens~~ Any citizen of
27 this state 18 years of age or older who ~~are not incompetent because of mental illness or~~
28 ~~mental retardation and who have~~ has resided in the county for at least six months preceding
29 the time of service shall be ~~qualified~~ eligible and liable to serve as a grand juror ~~unless~~
30 ~~otherwise exempted by law~~ juror.

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

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

35 (2) ~~Any person who has been convicted of a felony and who has not been pardoned or~~
36 ~~had his or her civil rights restored~~ shall not be eligible to serve as a grand juror.

37 (c) Any person who has been convicted of a felony in a state or federal court who has not
38 had his or her civil rights restored and any person who has been judicially determined to
39 be mentally incompetent shall not be eligible to serve as a grand juror."

40 **SECTION 4.**

41 This Act shall become effective on July 1, 2012.

42 **SECTION 5.**

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