

House Bill 418

By: Representatives Reeves of the 34th, Tanner of the 9th, Efstration of the 104th, Ramsey of the 72nd, and Strickland of the 111th

A BILL TO BE ENTITLED
AN ACT

1 To amend Code Section 15-12-60 of the Official Code of Georgia Annotated, relating to the
2 qualifications for grand jurors, so as to prohibit certain individuals from serving as grand
3 jurors; to prohibit quashing of indictments when ineligible grand jurors serve on a grand jury;
4 to provide for related matters; to repeal conflicting laws; and for other purposes.

5 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

6 style="text-align:center">**SECTION 1.**

7 Code Section 15-12-60 of the Official Code of Georgia Annotated, relating to the
8 qualifications for grand jurors, is amended by revising subsection (c) and adding a new
9 subsection to read as follows:

10 "(c) The following individuals shall not be eligible to serve as a grand juror:

11 (1) Any ~~person~~ individual who has been convicted of a felony in a state or federal court
12 who has not had his or her civil rights restored; and any person

13 (2) Any individual who has been judicially determined to be mentally incompetent shall
14 not be eligible to serve as a grand juror;

15 (3) Any individual in a pretrial release program, a pretrial release and diversion program,
16 or a pretrial intervention and diversion program, as provided for in Article 4 of Chapter
17 18 of Title 15 or Article 5 of Chapter 8 of Title 42 or pursuant to Uniform Superior Court
18 Rule 27, or a similar program from another state;

19 (4) Any individual sentenced pursuant to Code Section 16-13-2 who has not completed
20 the terms of his or her sentence;

21 (5) Any individual serving a sentence pursuant to Article 3 of Chapter 8 of Title 42 or
22 -serving a first offender sentence pursuant to another state's law; and

23 (6) Any individual who is participating in a drug court division, mental health court
24 division, veterans court division, or similar federal court program.

25 (d) If an indictment is returned, and a grand juror was ineligible to serve as a grand juror
26 pursuant to subsection (c) of this Code section, such indictment shall not be quashed as a
27 result of such ineligibility."

28 **SECTION 2.**

29 All laws and parts of laws in conflict with this Act are repealed.