

ADOPTED

Senator Stone of the 23rd and Jones of the 22nd offers the following amendment:

1 *Amend HB 233 (LC 29 6456S) by inserting after "forfeitures;" on line 10 "to amend Code*
 2 *Section 15-12-60 of the Official Code of Georgia Annotated, relating to the qualifications*
 3 *for grand jurors, so as to prohibit certain individuals from serving as grand jurors; to prohibit*
 4 *quashing of indictments when ineligible grand jurors serve on a grand jury;"*.

5 *By inserting after line 971 the following:*

6 **PART I-A**
 7 **SECTION 1A-1.**

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

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

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

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

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

21 (4) Any individual sentenced for a felony offense pursuant to Code Section 16-13-2 who
 22 has not completed the terms of his or her sentence;

23 (5) Any individual serving a sentence for a felony offense pursuant to Article 3 of
 24 Chapter 8 of Title 42 or serving a first offender sentence for a felony offense pursuant to
 25 another state's law; and

26 (6) Any individual who is participating in a drug court division, mental health court
 27 division, veterans court division, a similar court program from another state, or a similar
 28 federal court program for a felony offense.

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