

Senate Bill 95

By: Senators Stone of the 23rd, Hufstetler of the 52nd, Kirk of the 13th, Thompson of the 14th, Mullis of the 53rd and others

AS PASSED

A BILL TO BE ENTITLED
AN ACT

1 To amend Article 3 of Chapter 12 of Title 15 of the Official Code of Georgia Annotated,
2 relating to selection of jurors, so as to change provisions relating to the collection of data for
3 the compilation of the state-wide master jury list; to provide for the Supreme Court to make
4 certain rules relating to the state-wide master jury list and county master jury lists; to amend
5 Code Section 35-3-33 of the Official Code of Georgia Annotated, relating to the powers and
6 duties of the Georgia Crime Information Center, so as to provide for conforming
7 cross-references; to provide for related matters; to repeal conflicting laws; and for other
8 purposes.

9 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

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

11 Article 3 of Chapter 12 of Title 15 of the Official Code of Georgia Annotated, relating to
12 selection of jurors, is amended by revising Code Section 15-12-40.1, relating to the
13 state-wide master jury list, driver's license information, list of registered voters, and random
14 list of persons to comprise the venire, as follows:

15 "15-12-40.1.

16 (a) After July 1, 2011, the council shall compile a state-wide master jury list. ~~The council~~
17 ~~shall facilitate updating of all information relative to jurors on the state-wide master jury~~
18 ~~list and county master jury lists.~~

19 (b) On and after July 1, 2017 ~~After July 1, 2011~~, upon the council's request, the
20 Department of Driver Services shall provide the council ~~and the Administrative Office of~~
21 ~~the Courts~~ data showing the full name of all persons who are at least 18 years of age and
22 residents of this state who have been issued a driver's license or personal identification card
23 pursuant to Chapter 5 of Title 40, ~~whether or not such license or identification card is valid~~
24 ~~or expired~~. In addition to the person's full name, the Department of Driver Services shall
25 include the person's address, city of residence, date of birth, gender, driver's license or
26 personal identification card number, and, whenever racial ~~and ethnic~~ information is

27 collected by the Department of Driver Services for purposes of voter registration pursuant
 28 to ~~Code Section 21-2-221~~, racial and ethnic information. The Department of Driver
 29 Services shall provide the ~~effective date~~, document issue date, and document expiration
 30 date; shall indicate whether the document is a driver's license or a personal identification
 31 card; and shall exclude persons whose driver's license has been suspended or revoked due
 32 to a felony conviction, whose driver's license has been expired for more than 730 days, or
 33 who have been identified as not being citizens of the United States. Such data shall also
 34 include a secure unique identifier, determined according to the specifications of the council
 35 in consultation with the Department of Driver Services, which shall be a representation of
 36 the last four digits of the social security number associated with each driver's license or
 37 personal identification card holder. The council shall provide the Department of Driver
 38 Services with the software required to generate such secure unique identifier. The
 39 Department of Driver Services shall also provide the names and identifying information
 40 specified by this subsection of persons convicted in this state or in another state of driving
 41 without a license. Such data shall be in electronic format as required by the council.

42 (c)(1) On and after July 1, 2017 ~~After July 1, 2011~~, upon request by the council, the
 43 Secretary of State shall provide to the council and ~~the Administrative Office of the~~
 44 ~~Courts~~, without cost, the data showing:

45 (A) The list of registered voters, including the voter's date of birth, address, gender,
 46 race, ~~social security number~~, driver's license number, and when it is available, the
 47 voter's ethnicity ~~race~~. Such list shall exclude persons whose voting rights have been
 48 removed; and

49 (B) The full name, date of birth, address, gender, and, when such information is
 50 available, the race of any individual declared as mentally incompetent within the
 51 information collected by the Secretary of State under subsection (b) of Code Section
 52 21-2-231.

53 (2) The data provided to the council pursuant to this subsection shall also include a
 54 secure unique identifier, determined according to the specifications of the council in
 55 consultation with the Secretary of State, which shall be a representation of the last four
 56 digits of the social security number associated with each voter. The council shall provide
 57 the Secretary of State with the software required to generate such secure unique identifier.

58 (d) On and after July 1, 2014, each clerk shall obtain its county master jury list from the
 59 council. The council shall disseminate, in electronic format, a county master jury list to the
 60 respective clerk once each calendar year. The council shall determine the fee to be
 61 assessed each county for such list, provided that such fee shall not exceed 3¢ per name on
 62 the list. The council shall invoice each clerk upon the delivery of the county master jury
 63 list, and the recipient county shall remit payment within 30 days of the invoice.

64 (e) On and after July 1, ~~2014~~ 2017, upon request by the council, the Department of Public
65 Health shall provide to the council, without cost, data relating to death certificates for
66 residents of this state for the 15 year period preceding the date of the request. In addition
67 to the deceased person's full name, the data shall include the person's address, including the
68 county of residence and ZIP Code, date of birth, gender, ~~and~~ county in which the person
69 died, ~~and, when such information is available, the person's race.~~ Such data shall also
70 include a secure unique identifier, determined according to the specifications of the council
71 in consultation with the Department of Public Health, which shall be a representation of
72 the last four digits of the social security number associated with each deceased person. The
73 council shall provide the Department of Public Health with the software required to
74 generate such secure unique identifier. Such data shall be in electronic format as required
75 by the council.

76 (f) On and after July 1, ~~2015~~ 2017, upon request by the council, ~~the Department of~~
77 ~~Community Supervision and, on and after July 1, 2014, upon request by the council; the~~
78 ~~Department of Corrections; the Georgia Crime Information Center division of the Georgia~~
79 ~~Bureau of Investigation, and the State Board of Pardons and Paroles~~ shall provide to the
80 council, without cost, data showing a list of the names of all persons who have been
81 convicted of a felony in this state or federal court if the person has not had his or her civil
82 rights restored. In addition to the convicted person's full name, the data shall include the
83 person's address, including the county of residence and ZIP Code, date of birth, gender, and
84 ~~race if available,~~ when such information is available, the convicted person's race. Such
85 data shall also include a secure unique identifier, determined according to the specifications
86 of the council in consultation with the Department of Corrections, which shall be a
87 representation of the last four digits of the social security number associated with each
88 convicted person. The council shall provide the Department of Corrections with the
89 software required to generate such secure unique identifier. Such data shall be in electronic
90 format as required by the council.

91 (g) On and after July 1, 2017, upon request by the council, the State Board of Pardons and
92 Paroles shall provide to the council, without cost, data showing a list of the names of all
93 persons who have had his or her civil rights restored. In addition to the person's full name,
94 the data shall include the person's address, including the county of residence and ZIP Code,
95 date of birth, gender, and, when such information is available, the person's race. Such data
96 shall also include a secure unique identifier, determined according to the specifications of
97 the council in consultation with the State Board of Pardons and Paroles, which shall be a
98 representation of the last four digits of the social security number associated with each
99 person. The council shall provide the State Board of Pardons and Paroles with the software

100 required to generate such secure unique identifier. Such data shall be in electronic format
 101 as required by the council.

102 ~~(g)(h) On or after July 1, 2017~~ After July 1, 2012, in each county, ~~upon court order,~~ the
 103 clerk shall choose a random list of persons from the county master jury list to comprise the
 104 venire; ~~provided, however, that jurors summoned prior to July 1, 2012, shall remain~~
 105 ~~eligible to comprise the venire.~~

106 (i) The Supreme Court may establish, by rules, reasonable standards for the preparation,
 107 dissemination, and technological improvements of the state-wide master jury list and
 108 county master jury lists."

109 **SECTION 2.**

110 Code Section 35-3-33 of the Official Code of Georgia Annotated, relating to the powers and
 111 duties of the Georgia Crime Information Center, is amended by revising paragraph (16) of
 112 subsection (a) as follows:

113 "(16) Provide The Council of Superior Court Clerks of Georgia the data set forth in Code
 114 ~~Sections 15-12-40.1 and Section~~ 21-2-231, without charge and in the electronic format
 115 requested; and"

116 **SECTION 3.**

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