Senate Bill 6EX2

By: Senators Jackson of the 50th, Thompson of the 33rd, Starr of the 44th, Hamrick of the 30th, Haines of the 46th and others

AS PASSED

A BILL TO BE ENTITLED

AN ACT

To provide for furnishing of certain information regarding driver´s license or personal identification card holders by the Department of Motor Vehicle Safety to boards of jury commissioners; to amend Code Section 15-12-40 of the Official Code of Georgia Annotated, relating to compilation, maintenance, and revision of jury list, so as to provide for furnishing and use of information; to amend Code Section 40-5-2 of the Official Code of Georgia Annotated, relating to keeping of records of applications for licenses and information on licensees and furnishing of information, so as to provide for furnishing and use of information; to provide for an implementation date; to provide for related matters; to provide for effective dates; to repeal conflicting laws; and for other purposes.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

PART I

SECTION 1-1.

Code Section 15-12-40 of the Official Code of Georgia Annotated, relating to compilation, maintenance, and revision of jury list, is amended by striking paragraph (1) of subsection (a) and inserting in lieu thereof the following:

"(1) At least biennially, unless otherwise directed by the chief judge of the superior court, the board of jury commissioners shall compile, maintain, and revise a trial jury list of upright and intelligent citizens of the county to serve as trial jurors and a grand jury list of the most experienced, intelligent, and upright citizens of the county to serve as grand jurors. In composing the trial jury list, the board of jury commissioners shall select a fairly representative cross section of the intelligent and upright citizens of the county. In composing the grand jury list, the board of jury commissioners shall select a fairly representative cross section of the most experienced, intelligent, and upright citizens of the county. In carrying out revisions of the trial jury list and grand jury list on or after

~~July 1, 2000~~ the effective date of this paragraph, the board of jury commissioners ~~shall~~ may make use of ~~all~~ any of the following:

(A) A list of all residents of the county who are the holders of drivers´ licenses or personal identification cards issued by the ~~Georgia Department of Public Safety~~ Department of Motor Vehicle Safety pursuant to the provisions ~~of Article 5~~ of Chapter 5 of Title 40; and the Department of ~~Public~~ Motor Vehicle Safety shall periodically make such a list available to the board of jury commissioners of each county;

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

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

The Department of Motor Vehicle Safety shall provide a list, which includes the name, address, date of birth, gender, driver´s license or personal identification card number issued pursuant to the provisions of Chapter 5 of Title 40, and, whenever racial and ethnic information is collected by the Department of Motor Vehicle Safety for purposes of voter registration pursuant to Code Section 21-2-221, racial and ethnic information, to the board of jury commissioners of each county. No jury list compiled prior to ~~July 1, 2000,~~ the effective date of this paragraph shall be rendered invalid by the use of or a failure to make use of the sources specified in this Code section~~; but each revision of the jury list on or after that date shall make use of all such sources to the extent actually available to the board of jury commissioners~~.″

SECTION 1-2.

Code Section 40-5-2 of the Official Code of Georgia Annotated, relating to keeping of records of applications for licenses and information on licensees and furnishing of information, is amended in subsection (f) by striking "and" at the end of paragraph (5), striking the period and inserting "; and" in lieu thereof at the end of paragraph (6), and inserting a new paragraph (7) to read as follows:

″(7) The lists required to be made available to boards of jury commissioners pursuant to Code Section 15-12-40 regarding county residents who are the holders of drivers´ licenses or personal identification cards issued pursuant to Chapter 5 of Title 40. Such lists shall identify each such person by name, address, date of birth, gender, driver´s license or personal identification card number issued pursuant to the provisions of this chapter, and, whenever racial and ethnic information is collected by the department for purposes of voter registration pursuant to Code Section 21-2-221, by racial or ethnic group.″

PART II

SECTION 2-1.

Code Section 15-12-40 of the Official Code of Georgia Annotated, relating to compilation, maintenance, and revision of jury list, is amended by striking paragraph (1) of subsection (a) and inserting in lieu thereof the following:

"(1) At least biennially, unless otherwise directed by the chief judge of the superior court, the board of jury commissioners shall compile, maintain, and revise a trial jury list of upright and intelligent citizens of the county to serve as trial jurors and a grand jury list of the most experienced, intelligent, and upright citizens of the county to serve as grand jurors. In composing the trial jury list, the board of jury commissioners shall select a fairly representative cross section of the intelligent and upright citizens of the county. In composing the grand jury list, the board of jury commissioners shall select a fairly representative cross section of the most experienced, intelligent, and upright citizens of the county. In carrying out revisions of the trial jury list and grand jury list on or after July 1, ~~2000~~ 2002, the board of jury commissioners shall make use of all of the following:

(A) A list of all residents of the county who are the holders of drivers´ licenses or personal identification cards issued by the ~~Georgia Department of Public Safety~~ Department of Motor Vehicle Safety pursuant to the provisions ~~of Article 5~~ of Chapter 5 of Title 40; and the Department of ~~Public~~ Motor Vehicle Safety shall periodically make such a list available to the board of jury commissioners of each county;

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

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

The Department of Motor Vehicle Safety shall provide a list, which includes the name, address, date of birth, gender, driver´s license or personal identification card number issued pursuant to the provisions of Chapter 5 of Title 40, and, whenever racial and ethnic information is collected by the Department of Motor Vehicle Safety for purposes of voter registration pursuant to Code Section 21-2-221, racial and ethnic information, to the board of jury commissioners of each county. No jury list compiled prior to July 1, ~~2000~~ 2002, shall be rendered invalid by the use of or a failure to make use of the sources specified in this Code section; but each revision of the jury list on or after that date shall make use of all such sources to the extent actually available to the board of jury commissioners."

PART III

SECTION 3-1.

(a) This Act shall become effective upon its approval by the Governor or upon its becoming law without such approval, except as provided in subsection (b) of this section.

(b) Each provision amended in Part II of this Act shall become effective and supersede that respective provision amended in Part I of this Act on July 1, 2002.

SECTION 3-2.

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