

2021 Regular Session

HOUSE BILL NO. 84

BY REPRESENTATIVE MARCELLE

Prefiled pursuant to Article III, Section 2(A)(4)(b)(i) of the Constitution of Louisiana.

JURY DUTY: Provides relative to qualification of jurors

1 AN ACT

2 To amend and reenact Code of Criminal Procedure Article 401(A)(introductory paragraph)
3 and (5), relative to qualifications of jurors; to provide relative to the authority of
4 certain persons under indictment or order of imprisonment or on probation or parole
5 to serve on a jury; and to provide for related matters.

6 Be it enacted by the Legislature of Louisiana:

7 Section 1. Code of Criminal Procedure Article 401(A)(introductory paragraph) and
8 (5) are hereby amended and reenacted to read as follows:

9 Art. 401. General qualifications of jurors

10 A. In order to qualify to serve as a juror, a person ~~must~~ shall meet all of the
11 following requirements:

12 * * *

13 (5) Not be under indictment, incarcerated under an order of imprisonment,
14 or on probation or parole for a felony ~~nor have been convicted of a felony for which~~
15 ~~he has not been pardoned by the governor~~ offense within the five-year period
16 immediately preceding the person's jury service.

17 * * *

DIGEST

The digest printed below was prepared by House Legislative Services. It constitutes no part of the legislative instrument. The keyword, one-liner, abstract, and digest do not constitute part of the law or proof or indicia of legislative intent. [R.S. 1:13(B) and 24:177(E)]

HB 84 Original

2021 Regular Session

Marcelle

Abstract: Authorizes certain persons no longer under an order of imprisonment or on probation or parole for a felony to serve on a jury in civil and criminal cases.

Present law provides for the following qualifications that a person shall meet in order to serve as a juror in civil and criminal cases:

- (1) Be a citizen of the United States and of this state who has resided within the parish in which he is to serve as a juror for at least one year immediately preceding his jury service.
- (2) Be at least 18 years of age.
- (3) Be able to read, write, and speak the English language and be possessed of sufficient knowledge of the English language.
- (4) Not be under interdiction or incapable of serving as a juror because of a mental or physical infirmity, provided that no person shall be deemed incompetent solely because of the loss of hearing in any degree.
- (5) Not be under indictment for a felony nor have been convicted of a felony for which he has not been pardoned by the governor.

Proposed law amends present law (C.Cr.P. Art. 401(A)(5)) to provide that in order to qualify to serve as a juror, a person shall not be under an indictment, incarcerated under an order of imprisonment, or on probation or parole for a felony offense within the five-year period immediately preceding the person's jury service.

Proposed law retains all other present law qualifications for jurors.

(Amends C.Cr.P. Art. 401(A)(intro. para.) and (5))