

2018 Regular Session

HOUSE BILL NO. 365

BY REPRESENTATIVE JORDAN

CRIMINAL/JURY TRIALS: Provides relative to a unanimous jury in felony cases

1 AN ACT

2 To amend and reenact Code of Criminal Procedure Article 782(A), relative to jury trials in
3 felony cases; to provide relative to jury concurrence; and to provide for related
4 matters.

5 Be it enacted by the Legislature of Louisiana:

6 Section 1. Code of Criminal Procedure Article 782(A) is hereby amended and
7 reenacted to read as follows:

8 Art. 782. Number of jurors composing jury; number which must concur; waiver

9 A. Cases in which punishment may be capital or in which punishment is
10 necessarily confinement at hard labor shall be tried by a jury of twelve jurors, all of
11 whom must concur to render a verdict. ~~Cases in which punishment is necessarily~~
12 ~~confinement at hard labor shall be tried by a jury composed of twelve jurors, ten of~~
13 ~~whom must concur to render a verdict.~~ Cases in which the punishment may be
14 confinement at hard labor shall be tried by a jury composed of six jurors, all of
15 whom must concur to render a verdict.

16 * * *

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 365 Original

2018 Regular Session

Jordan

Abstract: Requires unanimous jury vote in all felony cases.

Present law requires a unanimous jury vote in cases in which punishment may be capital, but requires 10 of 12 jurors to concur in other felony cases.

Proposed law requires a unanimous vote among 12 jurors in all felony cases.

(Amends C.Cr.P. Art. 782(A))