

ACT No. 104

2017 Regular Session

HOUSE BILL NO. 485

BY REPRESENTATIVE JEFFERSON

1 AN ACT

2 To amend and reenact Code of Criminal Procedure Article 404(A), (C), (D), (E), and (F) and
3 to enact Code of Criminal Procedure Article 404(G) and (H), relative to jury
4 commissions; to provide for technical corrections; to provide for the functions of the
5 jury commission in the parishes of Claiborne, DeSoto, Union, and Webster; to
6 transfer the functions of the jury commission to the clerks of court of Claiborne
7 Parish, DeSoto Parish, Union Parish, and Webster Parish; and to provide for related
8 matters.

9 Be it enacted by the Legislature of Louisiana:

10 Section 1. Code of Criminal Procedure Article 404(A), (C), (D), (E), and (F) are
11 hereby amended and reenacted and Code of Criminal Procedure Article 404(G) and (H) are
12 hereby enacted to read as follows:

13 Art. 404. Appointment of jury commissions; term of office; oath; quorum;
14 performance of functions of jury commissions in certain parishes

15 A. ~~Except in the parish of East Baton Rouge as otherwise provided in this~~
16 Article:

17 (1) The jury commission of each parish shall consist of the clerk of court or
18 a deputy clerk designated by him in writing to act in his stead in all matters affecting
19 the jury commission, and five four other members, each having the qualifications set
20 forth in Article 401 and appointed by written order of the district court, who shall
21 serve at the court's pleasure.

22 (2) ~~In Orleans Parish the jury commission shall be appointed by the judges~~
23 ~~en banc of the Criminal District Court of the parish of Orleans, and the jury~~
24 ~~commissioners shall serve at the pleasure of the court. Upon the effective date of the~~

1 ~~Forty-First Judicial District Court, January 1, 2009, the jury commission shall be~~
 2 ~~appointed by the judges en banc of the Forty-First Judicial District Court, Criminal~~
 3 ~~Division, with the concurrence of the judges en banc of the civil division of the~~
 4 ~~court. The jury commissioners shall serve at the pleasure of the court. In other~~
 5 ~~parishes, the jury commission shall consist of the clerk of court or a deputy clerk~~
 6 ~~designated by him in writing to act in his stead in all matters affecting the jury~~
 7 ~~commission, and four other persons appointed by written order of the district court,~~
 8 ~~who shall serve at the court's pleasure.~~

9 ~~(3)~~ Before entering upon their duties, members of the jury commission shall
 10 take an oath to discharge their duties faithfully.

11 ~~(4)~~(3) Three members of the jury commission shall constitute a quorum.

12 ~~(5)~~(4) Meetings of the jury commission shall be open to the public.

13 * * *

14 C. In Orleans Parish, the jury commission shall be appointed by the judges
 15 en banc of the Criminal District Court of the parish of Orleans, and the jury
 16 commissioners shall serve at the pleasure of the court.

17 €D. In the parish of Lafourche, the function of the jury commission may be
 18 performed by the clerk of court of the parish of Lafourche or by a deputy clerk of
 19 court designated by him in writing to act in his stead in all matters affecting the jury
 20 commission. The clerk of court or his designated deputy shall have the same powers,
 21 duties, and responsibilities, and shall be governed by applicable provisions of law
 22 pertaining to jury commissioners. The clerk of court of the parish of Lafourche shall
 23 perform the duties and responsibilities otherwise imposed upon him by law with
 24 respect to jury venires, shall coordinate the jury venire process, and shall receive the
 25 compensation generally authorized for a jury commissioner.

26 ƉE. In the parish of Terrebonne, the function of the jury commission shall
 27 be performed by the clerk of court of Terrebonne Parish or by a deputy clerk of court
 28 designated by him in writing to act in his stead in all matters affecting the jury
 29 commission. The clerk of court or his designated deputy shall have the same powers,
 30 duties, and responsibilities, and shall be governed by all applicable provisions of law

1 pertaining to jury commissioners. The clerk of court of Terrebonne Parish shall
2 perform the duties and responsibilities otherwise imposed upon him by law with
3 respect to jury venires, shall coordinate the jury venire process, and shall receive the
4 compensation generally authorized for a jury commissioner.

5 E.F. In the parish of St. Charles, the function of the jury commission shall
6 be performed by the clerk of court of St. Charles Parish or by a deputy clerk of court
7 designated by him in writing to act in his stead in all matters affecting the jury
8 commission. The clerk of court or his designated deputy shall have the same powers,
9 duties, and responsibilities, and shall be governed by all applicable provisions of law
10 pertaining to jury commissioners. The clerk of court of St. Charles Parish shall
11 perform the duties and responsibilities otherwise imposed upon him by law with
12 respect to jury venires, shall coordinate the jury venire process, and shall receive the
13 compensation generally authorized for a jury commissioner.

14 F.G. In the parishes of East Feliciana and West Feliciana, the function of the
15 jury commission shall be performed by the clerks of court of East Feliciana Parish
16 and West Feliciana Parish or by a deputy clerk of court designated by the respective
17 clerk in writing to act in his stead in all matters affecting the jury commission. The
18 clerk of court or his designated deputy shall have the same powers, duties, and
19 responsibilities, and shall be governed by all applicable provisions of law pertaining
20 to jury commissioners. The clerks of court of East Feliciana Parish and West
21 Feliciana Parish shall perform the duties and responsibilities otherwise imposed upon
22 him by law with respect to jury venires, shall coordinate the jury venire process, and
23 shall receive the compensation generally authorized for a jury commissioner.

24 H. In the parishes of Claiborne, DeSoto, Union, and Webster, the function
25 of the jury commission shall be performed by the clerks of court of Claiborne Parish,
26 DeSoto Parish, Union Parish, and Webster Parish or by a deputy clerk of court
27 designated by the respective clerk in writing to act in his stead in all matters affecting
28 the jury commission. The clerk of court or his designated deputy shall have the same
29 powers, duties, and responsibilities, and shall be governed by all applicable
30 provisions of law pertaining to jury commissioners. The clerks of court of Claiborne

1 Parish, DeSoto Parish, Union Parish, and Webster Parish shall perform the duties and
 2 responsibilities otherwise imposed upon him by law with respect to jury venires,
 3 shall coordinate the jury venire process, and shall receive the compensation generally
 4 authorized for a jury commissioner.

SPEAKER OF THE HOUSE OF REPRESENTATIVES

PRESIDENT OF THE SENATE

GOVERNOR OF THE STATE OF LOUISIANA

APPROVED: _____