

2B:20-1

LEGISLATIVE HISTORY CHECKLIST

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(Jurors--persons indictable)

NJSA: 2B:20-1

LAWS OF: 1997 CHAPTER: 127

BILL NO: S264

SPONSOR(S): Girgenti and others

DATE INTRODUCED: Pre-filed

COMMITTEE: ASSEMBLY: Judiciary
SENATE: Judiciary

AMENDED DURING PASSAGE: No

DATE OF PASSAGE: ASSEMBLY: May 8 1997
SENATE: February 26 1996

DATE OF APPROVAL: June 23, 1997

FOLLOWING STATEMENTS ARE ATTACHED IF AVAILABLE:

SPONSOR STATEMENT: Yes

COMMITTEE STATEMENT: ASSEMBLY: Yes
SENATE: Yes

FISCAL NOTE: No

VE TO MESSAGE: No

MESSAGE ON SIGNING: No

FOLLOWING WERE PRINTED:
REPORTS: No

HEARINGS: No

KBP:pp

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SENATE, No. 264

STATE OF NEW JERSEY

Introduced Pending Technical Review by Legislative Counsel

PRE-FILED FOR INTRODUCTION IN THE 1996 SESSION

By Senators GIRGENTI and KOSCO

1 AN ACT concerning the qualification of certain persons to serve as
2 jurors and amending N.J.S.2B:20-1.

3
4 **BE IT ENACTED** by the Senate and General Assembly of the State
5 of New Jersey:

6
7 1. N.J.S.2B:20-1 is amended to read as follows:

8 2B:20-1. Qualifications of jurors

9 Every person summoned as a juror:

10 a. shall be 18 years of age or older;

11 b. shall be able to read and understand the English language;

12 c. shall be a citizen of the United States;

13 d. shall be a resident of the county in which the person is
14 summoned;

15 e. shall not [be serving a sentence of imprisonment, or be on
16 probation or parole, as a result of a conviction] have been convicted
17 of any indictable offense under the laws of this State, another state, or
18 the United States;

19 f. shall not have any mental or physical disability which will prevent
20 the person from properly serving as a juror.

21 (cf: N.J.S. 2B:20-1)

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23 2. This act shall take effect immediately.

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STATEMENT

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28 P.L. 1995, c.44, recently codified into Title 2B the law governing
29 the qualification and selection of jurors. Part of this statutory
30 enactment removed the per se disqualification from jury service of
31 persons convicted of an indictable offense. The new law automatically
32 disqualifies an individual convicted of an indictable offense only if that

EXPLANATION - Matter enclosed in bold-faced brackets [thus] in the above bill is not enacted and intended to be omitted in the law.

Matter underlined thus is new matter.

1 person is serving a sentence of imprisonment, or is on probation or
2 parole as a result of that conviction. Persons who have completed
3 their prison sentence and are no longer on probation or parole are now
4 eligible to serve as jurors.

5 This bill restores the historical per se disqualification of convicted
6 criminals from jury service. Those convicted of crimes would not be
7 eligible for jury service regardless of whether they are still subject to
8 some form of official restraint as a result of that conviction. The very
9 real potential for bias by convicted criminals against law enforcement
10 officers and the criminal justice system dictates that these individuals
11 should be barred from jury service.

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16 Excludes persons convicted of indictable offenses from jury duty.

ASSEMBLY JUDICIARY COMMITTEE

STATEMENT TO

SENATE, No. 264

STATE OF NEW JERSEY

DATED: FEBRUARY 10, 1997

The Assembly Judiciary Committee reports favorably Senate Bill No. 264.

P.L.1995, c.44 codified into Title 2B the law governing the qualification and selection of jurors. Part of this statutory enactment removed the per se disqualification from jury service of persons convicted of an indictable offense. The new law in N.J.S.2B:20-1 automatically disqualifies an individual convicted of an indictable offense only if that person is serving a sentence of imprisonment, or is on probation or parole as a result of that conviction. Persons who have completed their prison sentence or are no longer on probation or parole are now eligible for jury service.

This bill restores the historical per se disqualification of convicted criminals from jury service. Under the bill, those convicted of crimes would not be eligible for jury service regardless of whether they are still subject to some form of official restraint as a result of that conviction.

This bill is identical to Assembly Bill No. 1675.

SENATE JUDICIARY COMMITTEE

STATEMENT TO

SENATE, No. 264

STATE OF NEW JERSEY

DATED: JANUARY 29, 1996

The Senate Judiciary Committee reports favorably Senate Bill No. 264.

P.L.1995, c.44, recently codified into Title 2B the law governing the qualification and selection of jurors. Part of this statutory enactment removed the per se disqualification from jury service of persons convicted of an indictable offense. The new law automatically disqualifies an individual convicted of an indictable offense only if that person is serving a sentence of imprisonment, or is on probation or parole as a result of that conviction. Persons who have completed their prison sentence or are no longer on probation or parole are now eligible for jury service regardless of whether they are still subject to some form of official restraint as a result of that conviction. This bill restores the historical per se disqualification of convicted criminals from jury service. Those convicted of crimes would not be eligible for jury service regardless of whether they are still subject to some form of official restraint as a result of that conviction.

This bill was pre-filed for introduction in the 1996 session pending technical review. As reported, the bill includes the changes required by technical review which has been performed.