

2018 -- S 2596

=====  
LC004965  
=====

STATE OF RHODE ISLAND

IN GENERAL ASSEMBLY

JANUARY SESSION, A.D. 2018

—————  
A N A C T

RELATING TO COURTS AND CIVIL PROCEDURE -- PROCEDURE GENERALLY --  
JURY LISTS

Introduced By: Senators Quezada, Calkin, Crowley, Metts, and Jabour

Date Introduced: March 01, 2018

Referred To: Senate Judiciary

It is enacted by the General Assembly as follows:

1 SECTION 1. Sections 9-9-1 and 9-9-1.1 of the General Laws in Chapter 9-9 entitled  
2 "Jury Lists" are hereby amended to read as follows:

3 ~~**9-9-1. Persons liable to service -- Voting operator's licenses, Rhode Island**~~  
4 ~~**identification card, state income tax returns and unemployment compensation as evidence**~~  
5 **Persons liable to service -- Voting operator's licenses, Rhode Island identification card, state**  
6 **income tax returns, public assistance records and unemployment compensation as evidence.**

7 (a) A person is liable to serve as a juror if the person is:

8 (1) A citizen of the United States; and

9 (2) At least eighteen (18) years of age; and

10 (3) A resident of Rhode Island who either:

11 (i) Resides in the county where the person is registered to vote;

12 (ii) Is licensed to operate a motor vehicle within this state; or

13 (iii) Possesses a Rhode Island identification card issued pursuant to the provisions of §§

14 3-8-6 and 3-8-6.1; or

15 (iv) Is an individual filing a state income tax return; or

16 (v) Is an individual recipient of unemployment compensation; ~~or~~

17 (vi) Is an individual recipient of public assistance as defined in §40-6-1(b)(1).

18 (b) The list of qualified electors of each town and city as made up by the board of

1 canvassers thereof, at its last meeting prior to the Tuesday after the first Monday in November in  
2 each even numbered year, and the duly certified records of the administrator of the division of  
3 motor vehicles shall be conclusive evidence of the liability of each person to serve as provided in  
4 this chapter, unless in the case of a qualified elector the name of the person has been removed  
5 from the list of qualified electors of that town or city on which the name of that person appears  
6 prior to being summoned to appear in court as a juror, and except as provided in this chapter. The  
7 jury commissioner shall notify the clerk of the board of canvassers and registration of each  
8 particular city or town when it appears that a person on a list of qualified jurors does not reside at  
9 the address on the list. The board of canvassers and registration, after due notice to the person,  
10 shall challenge the listing thereof and after a hearing thereon may remove that person from the  
11 list.

12 (c) The division of motor vehicles shall forward to the jury commissioner the names of  
13 licensed drivers and the names of those persons who possess Rhode Island identification cards  
14 issued pursuant to the provisions of §§ 3-8-6 and 3-8-6.1 in the state on a yearly basis.

15 (d) The division of taxation shall forward to the jury commissioner the names of all  
16 individuals who have filed a state income tax return, on a yearly basis.

17 (e) The department of labor and training shall forward to the jury commissioner the  
18 names of all individuals who are receiving unemployment compensation, on a yearly basis.

19 (f) The department of human services shall forward to the jury commissioner the names  
20 of all individuals who are receiving public assistance, on a yearly basis.

21 **9-9-1.1. Qualifications of jurors.**

22 (a) A person is qualified to serve as a juror if the person is:

23 (1) A citizen of the United States; and

24 (2) A resident of Rhode Island who either:

25 (i) Resides in the county where the person is registered to vote; or

26 (ii) Is licensed to operate a motor vehicle within this state; or

27 (iii) Possesses a Rhode Island identification card issued pursuant to the provisions of §§  
28 3-8-6 and 3-8-6.1; or

29 (iv) Is an individual filing a state income tax return; or

30 (v) Is an individual recipient of unemployment compensation- ; or

31 (vi) Is an individual recipient of public assistance as defined in §40-6-1(b)(1).

32 (3) At least 18 years of age;

33 (4) Able to understand and participate in the court proceedings; and

34 (5) Physically and mentally capable of performing in a reasonable manner the duties of a

1 juror.

2 (b) No person shall be allowed to serve as a juror if he or she has been lawfully  
3 adjudicated to be non compos mentis.

4 (c) No person convicted of a felony shall be allowed to serve as a juror, until completion  
5 of such felon's sentence, served or suspended, and of parole or probation regardless of a nolo  
6 contendere plea.

7 (d) Notwithstanding subdivisions (a)(4) and (5), a person with a disability shall not be  
8 ineligible to serve as a juror solely on the basis of his or her disability, and if that person meets  
9 the above requirements, with reasonable accommodations if necessary, he or she shall be deemed  
10 a qualified juror.

11 (e) Nothing in this section shall prevent the court from disqualifying a prospective juror  
12 because he or she lacks a faculty or has a disability which will prevent the potential juror from  
13 being a competent juror in a particular case.

14 (f) Nothing in this section shall be construed to limit a party's right to ~~preemptorially~~ use  
15 a peremptory challenge to remove jurors.

16 SECTION 2. This act shall take effect upon passage.

=====  
LC004965  
=====

EXPLANATION  
BY THE LEGISLATIVE COUNCIL  
OF

A N A C T

RELATING TO COURTS AND CIVIL PROCEDURE -- PROCEDURE GENERALLY --  
JURY LISTS

\*\*\*

- 1           This act would add any individual receiving public assistance to the list of those persons
- 2   liable and qualified for jury service and would mandate that the director of human services
- 3   provide the jury commissioner with a list of those people on public assistance on a yearly basis.
- 4           This act would take effect upon passage.

=====  
LC004965  
=====