

2019 Regular Session

HOUSE BILL NO. 65

BY REPRESENTATIVE JAMES

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

JURY DUTY: Provides relative to qualifications 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 \* \* \*

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**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)]

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HB 65 Engrossed

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**Abstract:** Authorizes certain persons under an order of imprisonment for conviction of 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 (paragraph (5) above) 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))

Summary of Amendments Adopted by House

The Committee Amendments Proposed by House Committee on Administration of Criminal Justice to the original bill:

1. Amend proposed law to prohibit a person from qualifying to serve on a jury if the person was under 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.