

2019 Regular Session

HOUSE BILL NO. 477

BY REPRESENTATIVE DUBUISSON

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

CRIMINAL/PROCEDURE: Provides relative to jury trials

1 AN ACT

2 To amend and reenact Code of Criminal Procedure Article 795(C), relative to jury trials; to  
3 provide relative to peremptory challenges based on race or gender; and to provide  
4 for related matters.

5 Be it enacted by the Legislature of Louisiana:

6 Section 1. Code of Criminal Procedure Article 795(C) is hereby amended and  
7 reenacted to read as follows:

8 Art. 795. Time for challenges; method; peremptory challenges based on race or  
9 gender; restrictions

10 \* \* \*

11 C. No peremptory challenge made by the state or the defendant shall be  
12 ~~based solely upon~~ motivated in substantial part on the basis of the race or gender of  
13 the juror. If an objection is made that ~~the state or defense has excluded a juror solely~~  
14 a challenge was motivated in substantial part on the basis of race or gender, and a  
15 prima facie case supporting that objection is made by the objecting party, the court  
16 ~~may~~ shall demand a satisfactory race or gender neutral reason for the exercise of the  
17 challenge, ~~unless the court is satisfied that such reason is apparent from the voir dire~~  
18 ~~examination of the juror~~. Such demand and disclosure, ~~if required by the court,~~ shall  
19 be made outside of the hearing of any juror or prospective juror. The court shall then

