

2019 Regular Session

HOUSE BILL NO. 477

BY REPRESENTATIVE DUBUISSON

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AN ACT

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

Be it enacted by the Legislature of Louisiana:

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

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

* * *

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

