

2022 Regular Session

HOUSE BILL NO. 258

BY REPRESENTATIVE LANDRY

JURY DUTY: Provides relative to the qualifications of jurors

1 AN ACT

2 To amend and reenact Code of Criminal Procedure Article 401(A)(5), relative to
3 qualifications of jurors; to provide relative to the authority of certain persons
4 convicted by a non-unanimous jury to serve on a jury; and to provide for related
5 matters.

6 Be it enacted by the Legislature of Louisiana:

7 Section 1. Code of Criminal Procedure Article 401(A)(5) is hereby amended and
8 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 shall meet all of the
11 following requirements:

12 * * *

13 (5)(a) ~~Not~~ Except as provided in Subsubparagraph (5)(b) of this Paragraph,
14 not be under indictment, incarcerated under an order of imprisonment, or on
15 probation or parole for a felony offense within the five-year period immediately
16 preceding the person's jury service.

17 (b) Not be under indictment, incarcerated under an order of indictment, or
18 on probation or parole for a felony offense after a conviction rendered by a verdict
19 from a non-unanimous jury.

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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)]

HB 258 Original

2022 Regular Session

Landry

Abstract: Provides that a person not under indictment, incarcerated under an order of indictment, or on probation or parole for a felony offense after a conviction rendered by a verdict from a non-unanimous jury shall be eligible to qualify to serve as a juror.

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 U.S. 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, 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 present law and adds that a person not under indictment, incarcerated under an order of indictment, or on probation or parole for a felony offense after a conviction rendered by a verdict from a non-unanimous jury shall be eligible to qualify to serve as a juror.

(Amends C.Cr.P. Art. 401(A)(5))