

2023 -- H 5910

LC002407

STATE OF RHODE ISLAND

IN GENERAL ASSEMBLY

JANUARY SESSION, A.D. 2023

A N A C T

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

Introduced By: Representatives Cruz, Boylan, Potter, Voas, Stewart, and Baginski

Date Introduced: March 01, 2023

Referred To: House Judiciary

(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 "Jury
2 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 (a) A person is liable to serve as a juror if the person is:

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

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

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

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

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

11 (iii) Possesses a Rhode Island identification card issued pursuant to the provisions of §§ 3-
12 8-6 and 3-8-6.1; or

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

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

15 (vi) Is an individual recipient of public assistance benefits.

16 (b) The list of qualified electors of each town and city as made up by the board of
17 canvassers thereof, at its last meeting prior to the Tuesday after the first Monday in November in
18 each even numbered year, and the duly certified records of the administrator of the division of

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

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

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

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

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

18 **9-9-1.1. Qualifications of jurors.**

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

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

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

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

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

24 (iii) Possesses a Rhode Island identification card issued pursuant to the provisions of §§ 3-
25 8-6 and 3-8-6.1; or

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

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

28 (vi) Is an individual recipient of public assistance benefits.

29 (3) At least 18 years of age;

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

31 (5) Physically and mentally capable of performing in a reasonable manner the duties of a
32 juror.

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

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

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

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

11 (f) Nothing in this section shall be construed to limit a party's right to preemptorially
12 challenge jurors.

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

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EXPLANATION
BY THE LEGISLATIVE COUNCIL
OF

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1 This act would amend the jury list and jury qualification statutes to add individuals
2 receiving public assistance benefits to the list of individuals sent to the state's jury commissioner
3 on a yearly basis.

4 This act would take effect upon passage.

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