

2024 -- S 2913

LC005122

STATE OF RHODE ISLAND

IN GENERAL ASSEMBLY

JANUARY SESSION, A.D. 2024

A N A C T

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

Introduced By: Senator Ana B. Quezada

Date Introduced: March 22, 2024

Referred To: Senate 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, as defined in § 40-6-1.

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, as defined in § 40-6-1.

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. Section 40-6-12 of the General Laws in Chapter 40-6 entitled "Public  
14 Assistance Act" is hereby amended to read as follows:

15 **40-6-12. Records as to assistance.**

16 (a) All records pertaining to the administration of public assistance pursuant to this chapter  
17 and chapter 8 of this title are hereby declared to constitute confidential matter. It shall be unlawful  
18 for any person to make use of, or cause to be used, any information contained in records for  
19 purposes not directly connected with the administration thereof, except with the consent of the  
20 individual concerned.

21 (b) The director of the department shall have the power to establish rules and regulations  
22 governing the custody, use, and preservation of the records, papers, files, and communications  
23 dealing with the administration of public assistance. The rules and regulations shall have the same  
24 force and effect as law. The records shall be produced in response to subpoena duces tecum  
25 properly issued by any federal or state court; provided, however, that the purpose for which the  
26 subpoena is sought is directly connected with the administration of public assistance. No subpoena  
27 shall be issued by a court asking either for the records, or for persons having custody or access to  
28 the records, unless the litigation involved in such matters is directly connected with the  
29 administration of public assistance.

30 (c) Any person, who by law is entitled to a list of individuals receiving any of the assistance  
31 as provided in this section, shall not publish, or cause to be published, the list except by the express  
32 consent of the director of the department, or to make use thereof for purposes not directly connected  
33 with the administration thereof. Any person violating any of the provisions of this section, or the  
34 lawful rules and regulations made pursuant to this section, shall be guilty of a misdemeanor, and

1 shall be fined not more than two hundred dollars (\$200) or shall be imprisoned for not more than  
2 six (6) months, or both.

3 (d) Nothing in this section shall be deemed to prohibit the director of the department, or  
4 his or her agents duly authorized for that purpose, from issuing any statistical material or data, or  
5 publishing, or causing the data to be published, whenever he or she shall deem it to be in the public  
6 interest. The director of the department may inquire into the records of any state department or  
7 agency in the course of his or her administration of public assistance.

8 (e) Nothing in this section shall prohibit the director of the department, or the director's  
9 duly authorized agents, from providing the jury commissioner the names and addresses of  
10 individual recipients of public assistance benefits; provided these records shall be used solely for  
11 the purpose of compiling the jury lists drawn pursuant to § 9-9-23.

12 SECTION 3. This act shall take effect upon passage.

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EXPLANATION  
BY THE LEGISLATIVE COUNCIL  
OF

A N A C T

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

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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 and would authorize the director of the department to provide the records for the  
4 purpose of compiling jury lists.

5           This act would take effect upon passage.

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