

Stricken language would be deleted from and underlined language would be added to the law as it existed prior to this session of the General Assembly.

1 State of Arkansas
2 84th General Assembly
3 Regular Session, 2003
4

As Engrossed: S3/11/03

A Bill

Act 1404 of 2003
SENATE BILL 187

5 By: Senator Higginbothom
6
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For An Act To Be Entitled

9 AN ACT TO EXPAND THE LIST OF PROSPECTIVE JURORS
10 TO INCLUDE LICENSED DRIVERS BEGINNING JANUARY 1,
11 2005; AND FOR OTHER PURPOSES.
12
13

Subtitle

15 AN ACT TO EXPAND THE LIST OF PROSPECTIVE
16 JURORS TO INCLUDE LICENSED DRIVERS
17 BEGINNING JANUARY 1, 2005
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20 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:
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22 SECTION 1. (a) Beginning January 1, 2005, the pool of names from
23 which prospective jurors are chosen may be expanded from the list of
24 registered voters under Arkansas Code § 16-32-103, to include, in addition,
25 the list of licensed drivers and persons issued an identification card under
26 Arkansas Code § 27-16-805.

27 (b) All prospective jurors shall:

- 28 (1) Be a citizen of the United States;
29 (2) Be eighteen (18) years of age or older;
30 (3) Be a resident of the applicable county; and
31 (4) Not have plead guilty or nolo contendere, or been found
32 guilty of any felony offense.
33

34 SECTION 2. (a) In order to allow for the use of the enhanced
35 prospective juror pool, the Secretary of State shall compile and make
36 available, no later than November 1st of each year, an enhanced list, as



1 provided for in subsection (b) of this section, for any circuit clerk
2 requesting an enhanced list for their county, in automated or non-automated
3 form.

4 (b)(1) The Secretary of State shall receive from the Department of
5 Finance and Administration, no later than October 1 of each year, a list of
6 all licensed drivers and persons issued identification cards under Arkansas
7 Code § 27-16-805 who are citizens of the United States and eighteen (18)
8 years of age or older.

9 (2) The Secretary of State shall merge this list with the
10 current list of all registered voters for each county and shall delete any
11 duplicate entries.

12 (3) The merged list shall be provided to the Arkansas Crime
13 Information Center which shall delete the names of persons on the merged list
14 who have been plead guilty or nolo contendere, or been found guilty of any
15 felony offense.

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17 SECTION 3. (a) The administrative circuit judge for each county,
18 shall determine whether the list of registered voters or the enhanced list
19 shall be utilized in the selection of prospective jurors for the county based
20 upon a consideration of whether the use of registered voters creates a
21 sufficient pool for the selection of jurors to offer an adequate cross
22 section of the community.

23 (b) If the judge determines that the list of registered voters shall
24 be used, no action other than that under Arkansas Code § 16-32-103 shall be
25 required.

26 (c) If the judge determines that the enhanced voter list, as described
27 in section (2)(b) of this act, should be used, the judge shall inform the
28 circuit clerk, on or before October 1, who shall notify the Secretary of
29 State that the enhanced list will be requested for the county and shall be
30 used as the master list from which prospective jurors shall be chosen for the
31 selection process under Arkansas Code § 16-32-103.

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33 SECTION 5. This act shall not affect the list of disqualifications
34 from jury service found in Arkansas Code § 16-31-102.

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36 SECTION 6. Arkansas Code § 16-31-101 is amended to read as follows:

1 *Every registered voter or, in counties where an enhanced prospective jury*
2 *list is utilized, every registered voter, licensed driver, or person issued*
3 *an identification card under § 27-16-805, who is a citizen of the United*
4 *States and a resident of the State of Arkansas and of the county in which he*
5 *or she may be summoned for jury service is legally qualified to act as a*
6 *grand or petit juror if not otherwise disqualified under the express*
7 *provisions of this act.*

8 */s/ Higginbothom*

APPROVED: 4/16/2003