

1 **State of Arkansas**
2 **79th General Assembly**
3 **Regular Session, 1993**
4 **By: Senator Everett**

A Bill

SENATE BILL

For An Act To Be Entitled

8 "AN ACT TO AMEND ARKANSAS CODE § 16-32-202 AND § 16-32-203
9 TO PERMIT THE SELECTION OF A SIX (6) PERSON JURY IN
10 MISDEMEANOR CASES AND TO PRESCRIBE THE PROCEDURE FOR JURY
11 SELECTION; AND FOR OTHER PURPOSES."

Subtitle

14 "AN ACT TO PERMIT THE SELECTION OF A SIX (6) PERSON JURY
15 IN MISDEMEANOR CASES AND TO PRESCRIBE THE PROCEDURE FOR
16 JURY SELECTION."

18 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:

20 SECTION 1. Arkansas Code § 16-32-202 is hereby amended to read as
21 follows:

22 "16-32-202. Selection, summons, and composition of trial generally.

23 (a) The jurors for the trial of criminal prosecutions shall be selected
24 and summoned as provided by law. Juries shall be composed of twelve (12)
25 jurors.

26 (b) However, cases other than felonies may be tried, in the discretion
27 of the trial court judge, by a jury of six (6) jurors."

29 SECTION 2. Arkansas Code § 16-32-203 is hereby amended to read as
30 follows:

31 "16-32-203. Selection for misdemeanor trial.

32 (a) The jury, for the trial of all prosecutions for misdemeanors, shall
33 be selected in the following manner.

34 (b) Each party shall have three (3) peremptory challenges, which may be
35 made orally.

1 (c) (1) For a twelve (12) person jury, if either party desires a panel
2 for a twelve (12) person jury, the court shall cause the names of twenty-four
3 (24) competent jurors, written upon separate slips of paper, to be placed in a
4 box to be kept for that purpose, from which the names of eighteen (18) shall
5 be drawn and entered on a list in the order in which they were drawn, and
6 numbered.

7 (2) Each party shall be furnished with a copy of the list, from
8 which each may strike the names of three (3) jurors and return the list so
9 struck to the judge, who shall strike from the original list the names so
10 stricken from the copies, and the first twelve (12) names remaining on the
11 original list shall constitute the jury.

12 (d) If the trial court decides on a six (6) person jury, the names of
13 only twelve (12) persons shall be drawn and entered on a list in the order in
14 which they were drawn, and numbered. Each party shall be furnished with a
15 copy of the list, from which each may strike the names of three (3) jurors and
16 return the list so struck to the judge, who shall strike from the original
17 list the names so stricken from the copies, and the first six (6) names
18 remaining on the original list shall constitute the jury."

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20 SECTION 3. All provisions of this act of general and permanent nature
21 are amendatory to the Arkansas Code of 1987 Annotated and the Arkansas Code
22 Revision Commission shall incorporate the same in the Code.

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24 SECTION 4. If any provisions of this act or the application thereof to
25 any person or circumstance is held invalid, the invalidity shall not affect
26 other provisions or applications of the act which can be given effect without
27 the invalid provisions or application, and to this end the provisions of this
28 act are declared to be severable.

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30 SECTION 5. All laws and parts of laws in conflict with this act are
31 hereby repealed.

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