

House Bill 418 (COMMITTEE SUBSTITUTE)

By: Representatives Reeves of the 34th, Tanner of the 9th, Efstration of the 104th, Ramsey of the 72nd, and Strickland of the 111th

A BILL TO BE ENTITLED
AN ACT

To amend Code Section 15-12-60 of the Official Code of Georgia Annotated, relating to the qualifications for grand jurors, so as to prohibit certain individuals from serving as grand jurors; to prohibit quashing of indictments when ineligible grand jurors serve on a grand jury; to provide for related matters; to repeal conflicting laws; and for other purposes.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

SECTION 1.

Code Section 15-12-60 of the Official Code of Georgia Annotated, relating to the qualifications for grand jurors, is amended by revising subsection (c) and adding a new subsection to read as follows:

"(c) The following individuals shall not be eligible to serve as a grand juror:

(1) Any ~~person~~ individual who has been convicted of a felony in a state or federal court who has not had his or her civil rights restored; and any person

(2) Any individual who has been judicially determined to be mentally incompetent shall not be eligible to serve as a grand juror;

(3) Any individual in a pretrial release program, a pretrial release and diversion program, or a pretrial intervention and diversion program, as provided for in Article 4 of Chapter 18 of Title 15 or Article 5 of Chapter 8 of Title 42 or pursuant to Uniform Superior Court Rule 27, a similar diversion program from another state, or a similar federal court diversion program;

(4) Any individual sentenced pursuant to Code Section 16-13-2 who has not completed the terms of his or her sentence;

(5) Any individual serving a sentence pursuant to Article 3 of Chapter 8 of Title 42 or serving a first offender sentence pursuant to another state's law; and

(6) Any individual who is participating in a drug court division, mental health court division, veterans court division, a similar court program from another state, or a similar federal court program.

H. B. 418 (SUB)

27 (d) If an indictment is returned, and a grand juror was ineligible to serve as a grand juror
28 pursuant to subsection (c) of this Code section, such indictment shall not be quashed solely
29 as a result of such ineligibility."

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SECTION 2.

31 All laws and parts of laws in conflict with this Act are repealed.