

**CHAPTER 149****( HB 338 )**

AN ACT relating to juror qualification.

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

➔Section 1. KRS 29A.080 is amended to read as follows:

- (1) The Chief Circuit Judge or one (1) or more judges of the court, the court's clerk, a deputy clerk, the court's administrator, or a deputy court administrator so designated by the Chief Circuit Judge shall determine on the basis of the information provided on the juror qualification form whether the prospective juror is disqualified for jury service for any of the reasons listed in subsection (2) of this section. This determination shall be entered in the space provided on the juror qualification form. The Chief Circuit Judge shall cause each disqualified juror to be immediately notified of the juror's disqualification.
- (2) A prospective juror is disqualified to serve on a jury if the juror:
  - (a) Is under eighteen (18) years of age;
  - (b) Is not a citizen of the United States;
  - (c) Is not a resident of the county;
  - (d) Has insufficient knowledge of the English language;
  - (e) Has been previously convicted of a felony and has not been pardoned or received a restoration of civil rights by the Governor or other authorized person of the jurisdiction in which the person was convicted;
  - (f) Is presently under indictment;~~[-or-]~~
  - (g) Has served on a jury within the time limitations set out under KRS 29A.130; *or*
  - (h) *Is seventy (70) years of age or older and has requested in a space provided on the juror qualification form that he or she be excused from service for the period summoned.*
- (3) The Chief Circuit Judge may grant a permanent exemption based upon an individual's request and a finding by the Chief Circuit Judge of a permanent medical condition rendering the individual incapable of serving. The judge granting the permanent exemption shall notify the requesting person and the Administrative Office of the Courts. Upon receiving notification of a permanent exemption the Administrative Office of the Courts shall remove the person's name from the master list.
- (4) There shall be no waiver of these disqualifications, except that pursuant to the Federal Americans With Disabilities Act of 1990, an individual with a disability shall not be disqualified solely by reason of the disability. For the purposes of this section, "individual with a disability" means a person with a physical or mental impairment that substantially limits one (1) or more of the major life activities of the individual, a record of the impairment, or being regarded as having the impairment.

**Signed by Governor March 31, 2023.**