

AN ACT

ENTITLED, An Act to revise certain provisions relating to jury selection.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF SOUTH DAKOTA:

Section 1. That § 16-13-23 be amended to read as follows:

16-13-23. Within fifteen days from the receipt of the order provided in § 16-13-22, but no later than the first day of November, the clerk of courts shall select the jury panels.

Any such officer who is not disqualified may act by deputy.

Section 2. That § 16-13-27 be amended to read as follows:

16-13-27. The clerk of courts shall use an electronic selection system to fill the jury panels with names from the master jury list. The clerk of courts shall sign the list to indicate that the selection was fairly performed to the best of the clerk's knowledge.

Section 3. That § 16-13-31 be amended to read as follows:

16-13-31. No irregularity or omission upon the part of the state court administrator's office or of any officer, in the performance of any duty imposed by this chapter, serves to invalidate the panel of grand or petit jurors selected unless it shall be made to appear to the satisfaction of the court for which the panel was drawn that there was such misfeasance or malfeasance as would tend to deprive some litigant or person charged with crime of a substantial right, in which event the court may dismiss any or all members of the panel from the trial of such case or the consideration of such matter or for the term and may make such order respecting the drawing of additional names from the list or a new panel or a special venire as the court may deem proper.

Section 4. That § 16-13-24 be repealed.

Section 5. That § 16-13-25 be repealed.

An Act to revise certain provisions relating to jury selection.

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I certify that the attached Act
originated in the
HOUSE as Bill No. 1062

Chief Clerk
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Speaker of the House

Attest:

Chief Clerk

President of the Senate

Attest:

Secretary of the Senate

House Bill No. 1062
File No. _____
Chapter No. _____

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Received at this Executive Office
this ____ day of _____ ,
20__ at _____ M.

By _____
for the Governor
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The attached Act is hereby
approved this _____ day of
_____, A.D., 20__

Governor

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STATE OF SOUTH DAKOTA,
ss.
Office of the Secretary of State

Filed _____, 20__
at _____ o'clock __ M.

Secretary of State

By _____
Asst. Secretary of State