

HOUSE BILL 713

D1

9lr1612

By: **Delegate Rosenberg**

Introduced and read first time: February 7, 2019

Assigned to: Judiciary

Committee Report: Favorable with amendments

House action: Adopted

Read second time: March 11, 2019

CHAPTER _____

1 AN ACT concerning

2 **Jury Duty – Individuals Qualified for Jury Service Living Outside the United**
3 **States**

4 FOR the purpose of requiring an individual otherwise qualified for jury service living
5 outside the United States be excused by a jury judge or jury commissioner from jury
6 service for a certain period after submitting a certain affidavit under penalty of
7 perjury; requiring a jury judge to summon the individual for jury service after a
8 certain date or certain period of time; making a technical correction; and generally
9 relating to jury service.

10 BY repealing and reenacting, with amendments,
11 Article – Courts and Judicial Proceedings
12 Section 8–402
13 Annotated Code of Maryland
14 (2013 Replacement Volume and 2018 Supplement)

15 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND,
16 That the Laws of Maryland read as follows:

17 **Article – Courts and Judicial Proceedings**

18 8–402.

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.

Underlining indicates amendments to bill.

~~Strike out~~ indicates matter stricken from the bill by amendment or deleted from the law by amendment.



1 (a) Subject to the requirements of this section, a jury judge or, if a county's jury
2 plan allows, its jury commissioner may disqualify, excuse, or exempt an individual who is
3 summoned for jury service or reschedule jury service.

4 (b) An individual may be disqualified only on the basis of information provided
5 on a juror questionnaire or during an interview or other competent evidence.

6 (c) (1) **[To] EXCEPT AS PROVIDED IN SUBSECTION (D) OF THIS SECTION,**
7 **TO** be excused, an individual shall show, on a juror questionnaire, during an interview, or
8 by other competent evidence, that extreme inconvenience, public necessity, or undue
9 hardship requires excusal.

10 (2) An individual may be excused:

11 (i) Only for the period that the jury judge or jury commissioner
12 considers necessary; and

13 (ii) Not more than twice unless the jury judge **OR JURY**
14 **COMMISSIONER** finds that the individual has shown an extraordinary circumstance that
15 requires an additional excuse.

16 (3) When the period set under this subsection expires, a jury commissioner
17 again shall summon the individual for jury service.

18 **(D) (1) AN OTHERWISE QUALIFIED INDIVIDUAL LIVING OUTSIDE THE**
19 **UNITED STATES SHALL BE EXCUSED FROM JURY SERVICE FOR AN EXTENDED**
20 **PERIOD IF THE INDIVIDUAL SUBMITS TO THE JURY JUDGE OR JURY COMMISSIONER**
21 **AN AFFIDAVIT SIGNED UNDER PENALTY OF PERJURY STATING:**

22 **(I) THE INDIVIDUAL'S FOREIGN MAILING ADDRESS; AND**

23 **(II) 1. THE DATE BY WHICH THE INDIVIDUAL INTENDS TO**
24 **RETURN TO THE UNITED STATES; OR**

25 **2. THAT THE INDIVIDUAL HAS NO DETERMINED DATE OF**
26 **RETURN TO THE UNITED STATES.**

27 **(2) ~~AFTER THE DATE PROVIDED BY THE INDIVIDUAL IN AN AFFIDAVIT~~**
28 **~~UNDER PARAGRAPH (1) OF THIS SUBSECTION, A~~ A JURY JUDGE AGAIN SHALL**
29 **SUMMON ~~THE INDIVIDUAL~~ AN INDIVIDUAL WHO SUBMITS AN AFFIDAVIT UNDER**
30 **PARAGRAPH (1) OF THIS SUBSECTION FOR JURY SERVICE;**

31 **(I) AFTER THE DATE PROVIDED BY THE INDIVIDUAL IN AN**
32 **AFFIDAVIT UNDER PARAGRAPH (1)(II)1 OF THIS SUBSECTION; OR**

1 (II) NOT EARLIER THAN 5 YEARS AFTER RECEIPT OF AN
2 AFFIDAVIT STATING THAT THE INDIVIDUAL HAS NO DETERMINED DATE OF RETURN
3 UNDER PARAGRAPH (1)(II)2 OF THIS SUBSECTION.

4 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
5 October 1, 2019.

Approved:

Governor.

Speaker of the House of Delegates.

President of the Senate.