

SENATE FILE 1195

FILED MAR 2 1972

By COMMITTEE ON COUNTY GOVERNMENT

Passed Senate, Date 3-13-72 Passed House, Date 3-23-72
Vote: Ayes 45 Nays 0 Vote: Ayes 80 Nays 1

Approved _____

*Passed Senate with House amendment
3-24-72
ayes 44 nays 0*

A BILL FOR

1 An Act relating to the drawing of grand jurors.
2 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:
3 Section 1. Section six hundred nine point twenty-seven
4 (609.27), Code 1971, is amended by adding the following new
5 paragraph:
6 "If any county has less than twelve election precincts,
7 one or more persons may be drawn as a grand juror from any
8 election precinct in the county, provided that at least one
9 person shall be selected as a grand juror from each election
10 precinct in the county."

EXPLANATION

12 The present law requires that in drawing the list of grand
13 jurors, not more than one shall be selected from any election
14 precinct in the county. At the present time, one county has
15 only eleven election precincts so it is necessary to draw
16 more than one grand juror from an election precinct. This
17 bill provides that one or more persons may be drawn as a
18 grand juror from any election precinct in the county, pro-
19 vided that at least one person shall be selected as a grand
20 juror from each election precinct in the county.

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Senate

HOUSE AMENDMENT TO SENATE FILE 1195

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Amend Senate File 1195 as passed by the Senate by adding the following new section:

"Sec. 2. Section six hundred nine point twenty-five (609.25), Code 1971, as amended by chapter two hundred sixty-five (265), Acts of the Sixty-fourth General Assembly, First Session, is amended to read as follows:

609.25 GRAND JURY PANEL. A grand jury panel of twelve persons shall be drawn by the said commissioners from the grand jury box on or before the last secular Monday of December preceding the new calendar year, and shall be drawn in the same manner and under the same conditions, except as otherwise provided, as are specified for the drawing of said petit jury panel. Such grand jury panel shall constitute the panel from which to select the grand jurors for one year.

A majority of the judges of the district court may order a second panel of twelve persons to be drawn in like manner from which a second grand jury may be selected. Such second grand jury shall serve on matters assigned to it by the foreman of the first grand jury and it shall be served by the same clerk and staff, but otherwise it shall be governed by the same law as in the case of the original grand jury panel and grand jury."

Received from the House
March 24, 1972

Senate received 3/24/72

SENATE FILE 1195

1 Amend Senate File 1195 by adding the following
2 new section:
3 "Sec. 2. Section six hundred nine point twenty-
4 five (609.25), Code 1971, as amended by chapter two
5 hundred sixty-five (265), Acts of the Sixty-fourth
6 General Assembly, First Session, is amended to read
7 as follows:
8 609.25 GRAND JURY PANEL. A grand jury panel
9 of twelve persons shall be drawn by the said com-
10 missioners from the grand jury box on or before
11 the last secular Monday of December preceding the
12 new calendar year, and shall be drawn in the same
13 manner and under the same conditions, except as other-
14 wise provided, as are specified for the drawing of
15 said petit jury panel. Such grand jury panel shall
16 constitute the panel from which to select the grand
17 jurors for one year.
18 A majority of the judges of the district court
19 may order a second panel of twelve persons to be
20 drawn in like manner from which a second grand jury
21 may be selected. Such second grand jury shall serve
22 on matters assigned to it by the foreman of the first
23 grand jury and it shall be served by the same clerk
24 and staff, but otherwise it shall be governed by the
25 same law as in the case of the original grand jury
26 panel and grand jury."

EXPLANATION

This amendment provides for drawing a grand jury before the last secular Monday in December (rather than on the last secular Monday), in order that sufficient time will be available to summon the persons drawn, excuse those who need to be excused, and summon and draw replacements.

Filed. *Adopted 3/23/72 (1356)*
March 22, 1972

By KNOKE of Pottawattamie