

House File 64

Judiciary and Law Enforcement: Hansen of Woodbury, Chair: Haverland and Kremer.

*Do Pass 2/3/87 (p. 303)
Sen. Action 2/19 (41)*

House File 64

JUDICIARY: Deluhery, Chair: Coleman and Gentleman

HOUSE FILE 64

Do Pass 3/7 (p. 545)

BY HAVERLAND

Passed House, Date 2-12-87 (p. 352) Passed Senate, Date 4-13-87 (p. 1224)

Vote: Ayes 95 Nays 0 Vote: Ayes 47 Nays 0

Approved May 1, 1987 (p. 1862)

A BILL FOR

- 1 An Act relating to jury lists.
- 2 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:
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HOUSE FILE 64

H-3062

- 1 Amend House File 64 as follows:
- 2 1. Page 1, line 13, by striking the word
- 3 "general" and inserting the word "general".

H-3062 FILED FEBRUARY 10, 1987 BY SPEAR of Lee
Adopted 2/12/87 (p. 352)

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1 Section 1. Section 607A.3, subsection 5, Code 1987, is
2 amended to read as follows:

3 5. "Motor vehicle operators list" means the official
4 records maintained by the state of the names and addresses of
5 those individuals in the respective counties retaining valid
6 motor vehicle operator's licenses on or before ~~October~~ March
7 15 of each ~~general-election~~ odd-numbered year.

8 Sec. 2. Section 607A.3, subsection 10, Code 1987, is
9 amended to read as follows:

10 10. "Voter registration list" means the official records
11 maintained by the state of names and addresses of persons
12 registered to vote on or before ~~October~~ March 15 of each
13 ~~general~~ election odd-numbered year.

14 Sec. 3. Section 607A.10, Code 1987, is amended to read as
15 follows:

16 607A.10 APPOINTIVE JURORS -- MASTER LIST.

17 In each county the judges of the district court of the
18 judicial district in which the county is located shall, on or
19 before ~~October~~ March 1 of each odd-numbered year ~~in-which-the~~
20 ~~general-election-is-held~~, appoint three competent electors as
21 a jury commission to draw up the master list for the two years
22 beginning ~~January-1-after-the-election~~ the following July 1.
23 The names for the master list shall be taken from the source
24 lists. If all of the source lists are not used to draw up the
25 master list, then the names drawn must be selected in a random
26 manner.

27 Sec. 4. Section 607A.15, Code 1987, is amended to read as
28 follows:

29 607A.15 QUALIFICATION -- TENURE.

30 The appointive commissioners shall qualify on or before the
31 tenth day of ~~October~~ March, following their appointment, by
32 taking the oath of office required of civil officers. The
33 oath shall be subscribed by them and filed in the office of
34 the clerk of the district court. They shall hold office for
35 the term of two years and until their successors are duly

1 appointed and qualified.

2 Sec. 5. Section 607A.21, Code 1987, is amended to read as
3 follows:

4 607A.21 JURY LISTS.

5 The appointive jury commission or jury manager shall
6 ~~prepare, select and return, on-blank-lists-furnished-by-the~~
7 ~~county, to the clerk of the district court~~ the following:

8 1. The list of grand jurors: A list of names and
9 addresses of one hundred and fifty persons selected from the
10 source lists from which to draw grand jurors.

11 2. The list of petit jurors: A list of names and
12 addresses of persons selected from the source lists equal to
13 the number of names necessary to provide jurors needed by the
14 court, with the number to be determined by the jury commission
15 or jury manager.

16 Sec. 6. Section 607A.22, Code 1987, is amended by adding
17 the following new unnumbered paragraph:

18 NEW UNNUMBERED PARAGRAPH. The jury manager or jury
19 commission may request a consolidated source list. A
20 consolidated source list contains all the names and addresses
21 found in either the voter registration list or the motor
22 vehicle operators list, but does not duplicate an individual's
23 name within the consolidated list. State officials shall
24 cooperate with one another to prepare consolidated lists. The
25 jury manager or jury commission may further request that only
26 a randomly chosen portion of the consolidated list be prepared
27 which may consist of either a certain number of names or a
28 certain percentage of all the names in the consolidated list,
29 as specified by the jury manager or jury commission.

30 Sec. 7. TRANSITION. The terms of office of appointive
31 jury commissioners appointed in 1986 are extended until their
32 successors are appointed and qualified in 1989. The
33 provisions of section 607A.10 notwithstanding, jurors shall
34 continue to be selected from the master list first used
35 January 1, 1987, until July 1, 1989.

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EXPLANATION

This bill moves the selection of names for the master jury list from source lists from the fall of general election years to the spring of odd-numbered years. This bill authorizes the jury commissioners to order a single list containing one occurrence of names which appear in either the voter registration list or the drivers license list. It also allows the commission to order only a randomly chosen part of a source list. Provision is made for the transition period by extending the terms of the present commissioners and the useful life of the 1986 source lists until the new provisions take effect.

HOUSE FILE 64

AN ACT

RELATING TO JURY LISTS.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

Section 1. Section 607A.3, subsection 5, Code 1987, is amended to read as follows:

5. "Motor vehicle operators list" means the official records maintained by the state of the names and addresses of those individuals in the respective counties retaining valid motor vehicle operator's licenses on or before October March 15 of each general-election odd-numbered year.

Sec. 2. Section 607A.3, subsection 10, Code 1987, is amended to read as follows:

10. "Voter registration list" means the official records maintained by the state of names and addresses of persons registered to vote on or before October March 15 of each general-election odd-numbered year.

Sec. 3. Section 607A.10, Code 1987, is amended to read as follows:

607A.10 APPOINTIVE JURORS -- MASTER LIST.

In each county the judges of the district court of the judicial district in which the county is located shall, on or before October March 1 of each odd-numbered year in which the general-election-is-held, appoint three competent electors as a jury commission to draw up the master list for the two years beginning January 1 after the election the following July 1. The names for the master list shall be taken from the source lists. *If all of the source lists are not used to draw up the master list, then the names drawn must be selected in a random manner.*

Sec. 4. Section 607A.15, Code 1987, is amended to read as follows:

607A.15 QUALIFICATION -- TENURE.

The appointive commissioners shall qualify on or before the tenth day of October March, following their appointment, by taking the oath of office required of civil officers. The oath shall be subscribed by them and filed in the office of the clerk of the district court. They shall hold office for the term of two years and until their successors are duly appointed and qualified.

Sec. 5. Section 607A.21, Code 1987, is amended to read as follows:

607A.21 JURY LISTS.

The appointive jury commission or jury manager shall ~~prepare select and return on blank lists furnished by the county to the clerk of the district court~~ the following:

1. The list of grand jurors: A list of names and addresses of one hundred and fifty persons selected from the source lists from which to draw grand jurors.

2. The list of petit jurors: A list of names and addresses of persons selected from the source lists equal to the number of names necessary to provide jurors needed by the court, with the number to be determined by the jury commission or jury manager.

Sec. 6. Section 607A.22, Code 1987, is amended by adding the following new unnumbered paragraph:

NEW UNNUMBERED PARAGRAPH. The jury manager or jury commission may request a consolidated source list. A consolidated source list contains all the names and addresses found in either the voter registration list or the motor vehicle operators list, but does not duplicate an individual's name within the consolidated list. State officials shall cooperate with one another to prepare consolidated lists. The jury manager or jury commission may further request that only a randomly chosen portion of the consolidated list be prepared which may consist of either a certain number of names or a certain percentage of all the names in the consolidated list.

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as specified by the jury manager or jury commission.

Sec. 7. TRANSITION. The terms of office of appointive jury commissioners appointed in 1986 are extended until their successors are appointed and qualified in 1989. The provisions of section 607A.10 notwithstanding, jurors shall continue to be selected from the master list first used January 1, 1987, until July 1, 1989.

DONALD D. AVENSON
Speaker of the House

JO ANN ZIMMERMAN
President of the Senate

I hereby certify that this bill originated in the House and is known as House File 64, Seventy-second General Assembly.

JOSEPH O'HERN
Chief Clerk of the House

Approved , 1987

TERRY E. BRANSTAD
Governor