

# House File 820 - Introduced

HOUSE FILE \_\_\_\_\_  
BY FORD

Passed House, Date \_\_\_\_\_ Passed Senate, Date \_\_\_\_\_  
Vote: Ayes \_\_\_\_\_ Nays \_\_\_\_\_ Vote: Ayes \_\_\_\_\_ Nays \_\_\_\_\_  
Approved \_\_\_\_\_

## A BILL FOR

1 An Act relating to selecting minority persons for jury service by  
2 the jury commissioner or jury manager.  
3 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:  
4 TLSB 2574HH 82  
5 jm/gg/14

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1 1 Section 1. Section 607A.3, subsection 5, Code 2007, is  
1 2 amended to read as follows:  
1 3 5. "Master list" means the list of names taken from the  
1 4 source lists for possible jury service except the minority  
1 5 source list.  
1 6 Sec. 2. Section 607A.3, Code 2007, is amended by adding  
1 7 the following new subsections:  
1 8 NEW SUBSECTION. 5A. "Minority master list" means the list  
1 9 of names taken from the minority source lists.  
1 10 NEW SUBSECTION. 5B. "Minority source list" means the same  
1 11 as "source list" except it is a separate source list of  
1 12 minority persons in counties with a minority population  
1 13 exceeding five percent.  
1 14 Sec. 3. Section 607A.10, Code 2007, is amended to read as  
1 15 follows:  
1 16 607A.10 APPOINTIVE COMMISSION == MASTER LIST.  
1 17 In each county, the chief judge of the judicial district in  
1 18 which the county is located shall, on or before March 1 of  
1 19 each odd-numbered year, appoint three competent electors as a  
1 20 jury commission to draw up the master list and minority master  
1 21 list for the two years beginning the following July 1. The  
1 22 names for the master list shall be taken from the source lists  
1 23 and the names for the minority master list shall be taken from  
1 24 the minority source lists. If all of the source lists or  
1 25 minority source lists are not used to draw up the master list  
1 26 or minority master list, then the names drawn must be selected  
1 27 in a random manner.  
1 28 Sec. 4. Section 607A.20, Code 2007, is amended to read as  
1 29 follows:  
1 30 607A.20 JURY MANAGER.  
1 31 If the chief judge of the judicial district uses electronic  
1 32 data processing techniques and equipment for the drawing of  
1 33 jurors in lieu of a jury commission, the chief judge shall,  
1 34 after consultation with the clerk, district court  
1 35 administrator and county auditor, appoint an individual to  
2 1 serve as the jury manager for the county. The jury manager  
2 2 shall be responsible for the implementation of this chapter  
2 3 for the county. The jury manager shall update the master list  
2 4 from the source lists and minority master list from the  
2 5 minority source lists at least once every two years beginning  
2 6 January 1 after the general election is held.  
2 7 Sec. 5. Section 607A.21, Code 2007, is amended to read as  
2 8 follows:  
2 9 607A.21 JURY LISTS.  
2 10 1. The appointive jury commission or jury manager shall  
2 11 select and return to the clerk of the district court the  
2 12 following:  
2 13 ~~1.~~ a. The list of grand jurors: A list of names and  
2 14 addresses of one hundred and fifty persons selected from the  
2 15 source lists from which to draw grand jurors.  
2 16 ~~2.~~ b. The list of petit jurors: A list of names and  
2 17 addresses of persons selected from the source lists equal to  
2 18 the number of names necessary to provide jurors needed by the  
2 19 court, with the number to be determined by the jury commission  
2 20 or jury manager.

2 21 2. In a county with a minority population exceeding five  
2 22 percent, the appointive jury commission or jury manager shall  
2 23 decrease the number of persons selected under subsection 1 by  
2 24 the percentage of minorities in the county multiplied by the  
2 25 number of grand or petit jurors needed by the court. The jury  
2 26 commission or jury manager shall then select a minority from  
2 27 the minority source list and add the name and address to the  
2 28 list required under subsection 1 until the required number of  
2 29 persons needed by the court under subsection 1 is reached.

2 30 Sec. 6. Section 607A.22, Code 2007, is amended to read as  
2 31 follows:

2 32 607A.22 USE OF SOURCE LISTS == INFORMATION PROVIDED.

2 33 1. The appointive jury commission or the jury manager  
2 34 shall use both of the following source lists in preparing  
2 35 grand and petit jury lists:

3 1 ~~1. a.~~ The current voter registration list.

3 2 ~~2. b.~~ The current motor vehicle operators list.

3 3 2. The appointive jury commission or the jury manager may  
3 4 use any other current comprehensive list of persons residing  
3 5 in the county, including but not limited to the lists of  
3 6 public utility customers, which the appointive jury commission  
3 7 or jury manager determines are useable for the purpose of a  
3 8 juror source list.

3 9 3. The applicable state and local government officials  
3 10 shall furnish, upon request, the appointive jury commission or  
3 11 jury manager with copies of lists necessary for the  
3 12 formulation of source lists and minority source lists at no  
3 13 cost to the commission, manager, or county.

3 14 4. The jury manager or jury commission may request a  
3 15 consolidated source list or consolidated minority source list.

3 16 A consolidated source list contains all the names and  
3 17 addresses found in either the voter registration list or the  
3 18 motor vehicle operators list, but does not duplicate an  
3 19 individual's name within the consolidated list. A  
3 20 consolidated minority source list contains all the names and  
3 21 addresses of minorities found in either the voter registration  
3 22 list or the motor vehicle operators list, but does not  
3 23 duplicate an individual's name within the consolidated list.

3 24 State officials shall cooperate with one another to prepare  
3 25 consolidated lists. The jury manager or jury commission may  
3 26 further request that only a randomly chosen portion of the  
3 27 consolidated source list or consolidated minority source list  
3 28 be prepared which may consist of either a certain number of  
3 29 names or a certain percentage of all the names in the  
3 30 consolidated list, as specified by the jury manager or jury  
3 31 commission.

3 32 Sec. 7. IMPLEMENTATION OF ACT. Section 25B.2, subsection  
3 33 3, shall not apply to this Act.

3 34 EXPLANATION

3 35 This bill relates to selecting minority persons for jury  
4 1 service by a jury commission or jury manager.

4 2 The bill provides that a jury commission or jury manager  
4 3 shall keep a separate minority source list in a county where  
4 4 the minority population exceeds 5 percent. Current law does  
4 5 not distinguish source lists for potential jury service by  
4 6 minority status.

4 7 Under current law, "source lists" means the voter  
4 8 registration list, the motor vehicle operators list, and other  
4 9 comprehensive lists of persons residing in a county.

4 10 The bill provides that the jury commission or jury manager,  
4 11 prior to forwarding on the list of potential jurors to the  
4 12 clerk of the district court for notification, shall select a  
4 13 number of potential jurors from a minority source list equal  
4 14 to the percentage of minorities in the county. Current law  
4 15 does not require the jury commission or jury manager to select  
4 16 from a minority source list prior to forwarding the list of  
4 17 potential jurors to the clerk of the district court for  
4 18 notification of jury service.

4 19 The bill may include a state mandate as defined in Code  
4 20 section 25B.3. The bill makes inapplicable Code section  
4 21 25B.2, subsection 3, which would relieve a political  
4 22 subdivision from complying with a state mandate if funding for  
4 23 the cost of the state mandate is not provided or specified.  
4 24 Therefore, political subdivisions are required to comply with  
4 25 any state mandate included in the bill.

4 26 LSB 2574HH 82

4 27 jm:rj/gg/14