

# HB0049S01 compared with HB0049

{Omitted text} shows text that was in HB0049 but was omitted in HB0049S01

inserted text shows text that was not in HB0049 but was inserted into HB0049S01

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## Juror Eligibility Amendments

2025 GENERAL SESSION

STATE OF UTAH

**Chief Sponsor: Melissa G. Ballard**

Senate Sponsor: Derrin R. Owens

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### LONG TITLE

#### General Description:

This bill addresses juror eligibility.

#### Highlighted Provisions:

This bill:

- addresses juror eligibility of an individual who has been convicted of a felony; and
- makes technical and conforming changes.

#### Money Appropriated in this Bill:

None

None

#### AMENDS:

**78B-1-105** , as renumbered and amended by Laws of Utah 2008, Chapter 3 , as renumbered and amended by Laws of Utah 2008, Chapter 3

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*Be it enacted by the Legislature of the state of Utah:*

Section 1. Section **78B-1-105** is amended to read:

**HB0049**

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20           **78B-1-105. Jurors -- Competency to serve -- Individuals not competent to serve as jurors --**  
21           **Court to determine disqualification.**

25 (1) ~~[A person]~~ An individual is competent to serve as a juror if the ~~[person]~~ individual is:

26 (a) a citizen of the United States;

27 (b) 18 years ~~[of age]~~ old or older;

28 (c) a resident of the county; and

29 (d) able to read, speak, and understand the English language.

30 ~~[(2) A person who has been convicted of a felony which has not been expunged is not competent to~~  
31 ~~serve as a juror.]~~

32 (2) An individual who has been convicted of a felony in a state or federal court of the United States is  
33 not competent to serve as a juror unless:

34 (a) the felony conviction has been expunged or reduced to a misdemeanor; or

35 (b)

36 (i) at least 10 years have passed after the { ~~date of the individual's felony conviction or incarceration;~~  
37 ~~whichever is } later{;} of:~~

38 (A) ~~the day on which the individual was convicted of the felony;~~

39 (B) ~~the day on which the individual was released from incarceration for the felony conviction; or~~

40 (C) ~~the day on which the individual completed probation or parole for the felony conviction; and~~

41 (ii) ~~the individual is not required, or is no longer required, to register as a sex offender, a kidnap~~  
42 ~~offender, or a child abuse offender in accordance with Title 77, Chapter 41, Sex, Kidnap, and Child~~  
43 ~~Abuse Offender Registry{;} .~~

44 {(iii)} ~~(3) {the-} Notwithstanding Subsection (2), an individual {has completed any probation related to~~  
45 ~~the felony conviction;} may not serve on a jury for a criminal case if:~~

46 {(iv)} ~~(a) the individual {has completed any term-} was convicted of {incarceration related to the-} a~~  
47 ~~felony {conviction} in a state or federal court of the United States; and~~

48 {(v)} ~~(b) {the individual has completed any parole related-} an offense charged in the criminal case is~~  
49 ~~similar~~ to the felony {conviction} for which the individual was convicted.

50 ~~[(3)] (4) The court, on [its] the court's own initiative or when requested by a prospective juror, shall~~  
51 ~~determine whether the prospective juror is disqualified from jury service.~~

52 {(4)} ~~(5) The court shall base [its] the court's decision on:~~

53 (a) information provided on the juror qualification form;

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48 (b) an interview with the prospective juror; or

49 (c) other competent evidence.

50 [(4)] ~~{(5)}~~ (6) The clerk shall enter the court's determination in the records of the court.

54 Section 2. **Effective date.**

This bill takes effect on May 7, 2025.

1-23-25 9:07 AM