

# HB0049S02 compared with HB0049S01

{Omitted text} shows text that was in HB0049S01 but was omitted in HB0049S02  
inserted text shows text that was not in HB0049S01 but was inserted into HB0049S02

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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:

**HB0049S01**

## HB0049S01 compared with HB0049S02

- 20           **78B-1-105. Jurors -- Competency to serve -- Individuals not competent to serve as jurors --**  
21           **Court to determine disqualification.**
- 22       (1) ~~[A person]~~ An individual is competent to serve as a juror if the ~~[person]~~ individual is:
- 23       (a) a citizen of the United States;
- 24       (b) 18 years ~~[of age]~~ old or older;
- 25       (c) a resident of the county; and
- 26       (d) able to read, speak, and understand the English language.
- 27       ~~[(2) A person who has been convicted of a felony which has not been expunged is not competent to~~  
28           ~~serve as a juror.]~~
- 29       (2) An individual who has been convicted of a felony in a state or federal court of the United States is  
30           ~~not competent to serve as a juror unless~~ {:} [the felony conviction has been expunged or reduced to a](#)  
31           ~~misdeemeanor.~~ [misdeemeanor.](#)
- 32       ~~{(a) {the felony conviction has been expunged or reduced to a misdemeanor; or} }~~
- 33       ~~{(b) }~~
- 34       ~~{(i) {at least 10 years have passed after the later of:} }~~
- 35           ~~{(A) {the day on which the individual was convicted of the felony;} }~~
- 36           ~~{(B) {the day on which the individual was released from incarceration for the felony conviction;~~  
37           ~~or} }~~
- 38           ~~{(C) {the day on which the individual completed probation or parole for the felony conviction;~~  
39           ~~and} }~~
- 40       ~~{(ii) {the individual is not required, or is no longer required, to register as a sex offender, a kidnap~~  
41           ~~offender, or a child abuse offender in accordance with Title 77, Chapter 41, Sex, Kidnap, and Child~~  
42           ~~Abuse Offender Registry.} }~~
- 43       ~~{(3) {Notwithstanding Subsection (2), an individual may not serve on a jury for a criminal case if:} }~~
- 44       ~~{(a) {the individual was convicted of a felony in a state or federal court of the United States; and} }~~
- 45       ~~{(b) {an offense charged in the criminal case is similar to the felony for which the individual was~~  
46           ~~convicted.} }~~
- 47       ~~{(3)}{ } ~~{(4)}{ }~~ The court, on [its] the court's own initiative or when requested by a prospective juror,~~  
48           ~~shall determine whether the prospective juror is disqualified from jury service.~~
- 49       ~~{(5)} (4) The court shall base [its] the court's decision on:~~
- 50       (a) information provided on the juror qualification form;

## HB0049S01 compared with HB0049S02

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

52 (c) other competent evidence.

53 [(4)] ~~{(6)}~~ (5) The clerk shall enter the court's determination in the records of the court.

39 Section 2. **Effective date.**

This bill takes effect on May 7, 2025.

1-31-25 4:51 PM