

Juror Eligibility Amendments

2025 GENERAL SESSION

STATE OF UTAH

Chief Sponsor: Melissa G. Ballard

Senate Sponsor: Derrin R. Owens

LONG TITLE**Committee Note:**

The Law Enforcement and Criminal Justice Interim Committee recommended this bill.

Legislative Vote: 16 voting for 0 voting against 2 absent

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

Other Special Clauses:

None

Utah Code Sections Affected:

AMENDS:

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

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

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

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

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

- (a) a citizen of the United States;
- (b) 18 years ~~[of age]~~ old or older;
- (c) a resident of the county; and
- (d) able to read, speak, and understand the English language.

~~[(2) A person who has been convicted of a felony which has not been expunged is not~~

- 31 competent to serve as a juror.]
- 32 (2) An individual who has been convicted of a felony in a state or federal court of the
- 33 United States is not competent to serve as a juror unless:
- 34 (a) the felony conviction has been expunged or reduced to a misdemeanor; or
- 35 (b)(i) at least 10 years have passed after the date of the individual's felony conviction
- 36 or incarceration, whichever is later;
- 37 (ii) the individual is not required, or is no longer required, to register as a sex
- 38 offender, a kidnap offender, or a child abuse offender in accordance with Title 77,
- 39 Chapter 41, Sex, Kidnap, and Child Abuse Offender Registry;
- 40 (iii) the individual has completed any probation related to the felony conviction;
- 41 (iv) the individual has completed any term of incarceration related to the felony
- 42 conviction; and
- 43 (v) the individual has completed any parole related to the felony conviction.
- 44 (3) The court, on [its] the court's own initiative or when requested by a prospective juror,
- 45 shall determine whether the prospective juror is disqualified from jury service.
- 46 (4) The court shall base [its] the court's decision on:
- 47 (a) information provided on the juror qualification form;
- 48 (b) an interview with the prospective juror; or
- 49 (c) other competent evidence.
- 50 [~~(4)~~] (5) The clerk shall enter the court's determination in the records of the court.

51 Section 2. **Effective Date.**

52 This bill takes effect on May 7, 2025.