

Melissa G. Ballard proposes the following substitute bill:

Juror Eligibility Amendments

2025 GENERAL SESSION

STATE OF UTAH

Chief Sponsor: Melissa G. Ballard

Senate Sponsor: Derrin R. Owens

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

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 competent to serve as a juror.]~~

(2) An individual who has been convicted of a felony in a state or federal court of the

United States is not competent to serve as a juror unless:

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

(b)(i) at least 10 years have passed after the later of:

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

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

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

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

(3) Notwithstanding Subsection (2), an individual may not serve on a jury for a criminal case if:

(a) the individual was convicted of a felony in a state or federal court of the United States; and

(b) an offense charged in the criminal case is similar to the felony for which the individual was convicted.

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

(5) The court shall base [its] the court's decision on:

(a) information provided on the juror qualification form;

(b) an interview with the prospective juror; or

(c) other competent evidence.

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

Section 2. **Effective Date.**

This bill takes effect on May 7, 2025.