

HOUSE BILL NO. 6546

December 18, 2020, Introduced by Reps. Yancey, LaGrand, Gay-Dagnogo, Brenda Carter and Garrett and referred to the Committee on Judiciary.

A bill to amend 1961 PA 236, entitled
"Revised judicature act of 1961,"
by amending sections 1307a and 1312 (MCL 600.1307a and 600.1312),
section 1307a as amended by 2012 PA 69 and section 1312 as amended
by 2005 PA 6.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

- 1 Sec. 1307a. (1) To qualify as a juror, a person ~~shall~~**must**
- 2 meet all of the following criteria:
- 3 (a) Be a citizen of the United States, 18 years of age or

1 older, and a resident in the county for which the person is
 2 selected, and in the case of a district court in districts of the
 3 second and third class, be a resident of the district.

4 (b) Be able to communicate in the English language.

5 (c) Be physically and mentally able to carry out the functions
 6 of a juror. Temporary inability ~~shall not be considered~~ **is not** a
 7 disqualification.

8 (d) Not have served as a petit or grand juror in a court of
 9 record during the preceding 12 months.

10 (e) Not have been convicted of a felony **or, if he or she has**
 11 **been convicted of a felony, have completed his or her term of**
 12 **imprisonment, including any term of parole, not less than 5 years**
 13 **preceding the date he or she is summoned to serve as a juror.**

14 (2) A person more than 70 years of age may claim exemption
 15 from jury service and shall be exempt upon making the request.

16 (3) A nursing mother may claim exemption from jury service for
 17 the period during which she is nursing her child and ~~shall~~ **must** be
 18 exempt upon making the request if she provides a letter from a
 19 physician, a lactation consultant, or a certified nurse midwife
 20 verifying that she is a nursing mother.

21 (4) For the purposes of this section and sections 1371 to
 22 1376, a person has served as a juror if that person has been paid
 23 for jury service.

24 **(5) Subsection (1)(e) does not apply to a conviction that has**
 25 **been expunged or set aside.**

26 ~~(6) (5) For purposes of~~ **As used in** this section:

27 (a) "Certified nurse midwife" means an individual licensed as
 28 a registered professional nurse under article 15 of the public
 29 health code, 1978 PA 368, MCL 333.16101 to 333.18838, who has been

1 issued a specialty certification in the practice of nurse midwifery
2 by the board of nursing under section 17210 of the public health
3 code, 1978 PA 368, MCL 333.17210.

4 (b) "Felony" means a violation of a penal law of this state,
5 another state, or the United States for which the offender, upon
6 conviction, may be punished by death or by imprisonment for more
7 than 1 year or an offense expressly designated by law to be a
8 felony.

9 (c) "Lactation consultant" means a lactation consultant
10 certified by the international board of lactation consultant
11 examiners.

12 (d) "Physician" means an individual licensed by the state to
13 engage in the practice of medicine or osteopathic medicine and
14 surgery under article 15 of the public health code, 1978 PA 368,
15 MCL 333.16101 to 333.18838.

16 Sec. 1312. The board shall apply the key number uniformly to
17 the names on the list received pursuant to section 1310 and compile
18 a list or card index, to be known as the first jury list, which
19 ~~shall~~**must** include every name and only those names as the
20 application of the key number has designated. The board shall do
21 this as follows:

22 (a) Select by a random method a starting number between 0 and
23 the key number.

24 (b) Count down the list the number of names to reach the
25 starting number. That name ~~shall~~**must** be placed on the first jury
26 list.

27 (c) Continue from that name counting down the list, beginning
28 to count again with the number 1, until the key number is reached.
29 That name ~~shall~~**must** be placed on the first jury list.

1 (d) Repeat the process provided in subdivision (c) until the
2 whole list has been counted and the names placed on the first jury
3 list.

4 (e) The board shall then remove from the first jury list the
5 name of any person who its records show served, pursuant to the
6 provisions of this chapter, as a petit or grand juror in any court
7 of record in the county at any time in the preceding 1 year.

8 (f) The board, with the approval of the chief circuit judge,
9 may remove from the first jury list the name of any person who ~~has~~
10 ~~been convicted of a felony and is therefore~~ disqualified from
11 serving as a juror pursuant to ~~under~~ section 1307a(1)(e).