

COMMITTEE BILL ANALYSIS

Bill: House Bill 804

Printer's No.: 823

Sponsor: Rep. Masser

Prepared by: Gregg Warner

Synopsis: This bill amends section 4503 of the Judicial Code, Title 42 of the Pennsylvania Consolidated Statutes, to exempt from jury duty persons who have previously served for a full term on a Statewide investigating grand jury.

Summary: Section 4503 currently includes four exemptions from trial jury duty. This legislation adds a fifth exemption applying to persons who have previously served for a full term on a Statewide investigating grand jury, including any extensions thereof, who opt not to serve.

Effective date

This act takes effect in 60 days.

Background: The House passed House Bill 804 on April 27, 2011 by a vote of 187 to 5.

Current exemptions

Section 4503 currently exempts the following persons from jury duty:

- (1) Persons in active service of the armed forces of the United States or of the Commonwealth of Pennsylvania.
- (2) Persons who have served within three years next preceding on any jury except a person who has served as a juror for fewer than three days in any one year in which case the exemption period shall be one year.
- (3) Persons demonstrating to the court undue hardship or extreme inconvenience may be excused permanently or for such period as the court determines is necessary, and if excused for a limited period shall, at the end of the period, be assigned to the next jury array.
- (4) Spouses, children, siblings, parents, grandparents and grandchildren of victims of criminal homicide under 18 Pa.C.S. §2501 (relating to criminal homicide).

Statewide investigating grand jury

Currently, an investigating grand jury serves for a term of 18 months (42 Pa.C.S. §4546). If the grand jury determines that it has not completed its business within that time period, the time of service can be extended for an additional period of six months. While jurors who complete service on a Statewide investigating are exempt from further jury duty for a three-year period under current law, this legislation would make it permanent for those who opt not to serve.

Grand Jury report

The Twenty-Sixth Statewide Investigating Grand Jury recommended in 2009 “that Pennsylvania law be amended to exempt or excuse from jury duty persons who have completed service on a Statewide investigating grand jury.” The grand jury recognized the following concerns: “length of service, distance from homes, absence from families, and the financial impact of such service.” This exemption recognizes the extraordinary commitment investigating grand jury members must make over several months to complete their work on a statewide investigating grand jury.