

Proposed Amendment to SB 367 – Rep. Rubin

(Prepared by Katherine McBride, Assistant Revisor, 03/08/12)

Section 1. K.S.A. 43-156 is hereby amended to read as follows: **43-156.** (a) No person shall be excluded from service as a grand or petit juror in the district courts of Kansas on account of race, color, religion, sex, national origin, or economic status.

(b) Every juror, grand and petit, shall be a citizen of the state United States, resident of the county and possess the qualifications of an elector as now, or in the future established.

(c) At the time a prospective juror is selected to be a part of a jury panel, the court shall ask such prospective juror questions necessary to verify that such prospective juror meets each requirement of subsection (b).

SENATE BILL No. 367

By Committee on Judiciary

1 AN ACT concerning juries; relating to jury lists; jury commissioners;
2 access to tax records; amending K.S.A. 43-162 and K.S.A. 2011 Supp.
3 79-3234 and repealing the existing sections; also repealing K.S.A. 2011
4 Supp. 79-3234b.

5
6 *Be it enacted by the Legislature of the State of Kansas:*

7 Section 1. K.S.A. 43-162 is hereby amended to read as follows: 43-
8 162. All jury lists shall be prepared in accordance with the provisions of
9 this act. Jury commissioners shall cause to be prepared under their
10 supervision a list of persons qualified as jurors in each county. Jury lists
11 shall be prepared from voter registration records of the county, lists of
12 licensed drivers residing in the county or enumeration or census records
13 for the county, in accordance with the intent and purposes of this act. On
14 and after January 1, 1985, lists of holders of state-issued nondrivers'
15 identification cards who reside in the county may also be used in the
16 preparation of jury lists. *On and after July 1, 2013, lists of Kansas income*
17 *tax filers who reside in the county may also be used in the preparation of*
18 *jury lists.* Jury lists prepared from multiple sources may be used if one or
19 more of the foregoing records is used as a material source in preparing the
20 list. The commissioners shall cause the jury list of each county to be
21 revised and updated by adding names of qualified jurors and removing
22 names of those who have died, removed from the county, or who have
23 otherwise become disqualified. For the purposes of preparation and
24 revision of jury lists, commissioners shall have access to the voter
25 registration records of the county, records of the division of vehicles
26 pertaining to licensed drivers who reside in the county and enumeration or
27 census records for the county. On and after January 1, 1985,
28 commissioners shall have access to records of the division of vehicles
29 pertaining to nondrivers' identification card holders who reside in the
30 county; for the purposes of preparation and revision of jury lists. *On and*
31 *after July 1, 2013, commissioners may request records of the division of*
32 *taxation pertaining to Kansas income tax filers who reside in the county*
33 *for the purposes of preparation and revision of jury lists. Any*
34 *commissioner receiving such records from the division of taxation shall be*
35 *subject to the confidentiality provisions of K.S.A. 79-3234, and*
36 *amendments thereto.*

Proposed Amendment to SB 367
Committee on Judiciary
Office of Revisor of Statutes

On and after July 1, 2012, commissioners that receive information from a prospective juror or court of this state that disqualifies or potentially disqualifies such prospective juror from jury service pursuant to K.S.A. 43-156(b), and amendments thereto, shall submit such information to the secretary of state in a form and manner approved by the secretary of state. Any such information provided by a commissioner to the secretary of state shall be used for the purpose of maintaining voter registrations as required by law and any other lawful purpose.