

THE GENERAL ASSEMBLY OF PENNSYLVANIA

SENATE BILL

No. 116 Session of 2007

INTRODUCED BY COSTA, GREENLEAF, FONTANA, TARTAGLIONE, ORIE, KITCHEN, STOUT, EARLL, MUSTO, O'PAKE, C. WILLIAMS, WASHINGTON, WOZNIAK, LAVALLE, BROWNE, MELLOW, FERLO AND LOGAN, FEBRUARY 9, 2007

SENATOR ARMSTRONG, APPROPRIATIONS, RE-REPORTED AS AMENDED, MAY 21, 2007

AN ACT

1 Amending Title 42 (Judiciary and Judicial Procedure) of the
2 Pennsylvania Consolidated Statutes, further providing for
3 selection of prospective jurors.

4 The General Assembly of the Commonwealth of Pennsylvania
5 hereby enacts as follows:

6 Section 1. Section 4521(a) of Title 42 of the Pennsylvania
7 Consolidated Statutes is amended to read:

8 § 4521. Selection of prospective jurors.

9 (a) Preparation of master list of prospective jurors.--

10 (1) At least annually the jury selection commission
11 shall prepare a master list of prospective jurors[.] that
12 shall contain the most recent available address for
13 prospective jurors.

14 (2) The list shall also contain all voter registration
15 lists for the county, which lists may be incorporated by
16 reference, or names from such other lists which in the
17 opinion of the commission will provide a number of names of

1 prospective jurors which is equal to or greater than the
2 number of names contained in the voter registration list.

3 (3) The commission may, but will not be required to,
4 supplement the master list of prospective jurors to include,
5 without being limited to, persons in any of the following
6 categories:

7 [(1)] (i) Persons listed in telephone, city, municipal
8 directories and similar directories.

9 [(2)] Persons who pay taxes or are assessed for taxes
10 imposed by any political subdivisions.

11 [(3)] (ii) Persons in the county participating in any
12 State, county or local program authorized by law and, to the
13 extent such names are available, persons participating in any
14 Federal program authorized by law.

15 [(4)] (iii) Persons who are on school census lists.

16 [(5)] (iv) Any other person whose name does not appear
17 in the master list of prospective jurors and who meets the
18 qualifications for jurors set forth in this chapter and who
19 makes application to the commission to be listed on the
20 master list of prospective jurors.

21 (v) Persons who appear on the list provided to the
22 county pursuant to section 4521.1 (relating to Statewide
23 jury information system) may be used to supplement or
24 substitute the master jury list.

25 * * *

26 Section 2. Title 42 is amended by adding a section to read:
27 § 4521.1. Statewide jury information system.

28 (a) General rule.--Notwithstanding any prohibition found in
29 any other law, regulation or rule to the contrary, the following
30 departments shall submit to the Court Administrator of

1 Pennsylvania, in a format provided herein, a list of individuals
2 as designated for that department to be included in a Statewide
3 jury information system on or before ~~June 30~~ OCTOBER 31 of each ←
4 year:

5 (1) The Department of Public Welfare - every individual
6 resident in this Commonwealth who receives cash assistance or
7 food stamps pursuant to a Federal or State program through
8 the department except as prohibited by Federal law or
9 regulation.

10 (2) The Department of Transportation - every individual
11 resident in this Commonwealth who has been issued a driver's
12 license pursuant to 75 Pa.C.S Ch. 15 (relating to licensing
13 of drivers).

14 (3) The Department of Revenue - every individual
15 resident who files a return for the payment of taxes imposed
16 by the Commonwealth under Article III of the act of March 4,
17 1971 (P.L.6, No.2), known as the Tax Reform Code of 1971.

18 (4) The Department of State - every individual resident
19 who is listed as a registered voter under 25 Pa.C.S. Pt. IV
20 (relating to voter registration).

21 (b) Identifying information.--Each list submitted by a
22 department pursuant to subsection (a) shall contain only the
23 following identifying information, IF AVAILABLE, of an ←
24 individual to be included in the Statewide jury information
25 system:

26 (1) Name, including first, middle and last names, ←
27 INCLUDING ANY SUFFIXES.

28 (2) Except as provided in 23 Pa.C.S. Ch. 67 (relating to
29 domestic and sexual violence victim address confidentiality),
30 each individual's street address, municipality and zip code.

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1 (3) Date of birth, if available.

2 (4) The last four digits of the individual's Social
3 Security number.

4 (c) Duties of Court Administrator.--The Court Administrator
5 shall annually collect information for creation of a Statewide
6 jury information system. This shall be completed by:

7 (1) Collecting the names from the departments as
8 submitted under subsection (a).

9 (2) Combining each individual department list submitted
10 into a master list.

11 (3) Removing any information that identifies the source
12 of the information submitted pursuant to subsection (a).

13 (4) Assembling the names into groups arranged by the
14 county of residence for each individual on the master list.

15 (5) Removing duplicate names from each county list.

16 (d) Dissemination.--Upon request from the jury selection
17 commission of the county, the Court Administrator shall make
18 available to the requesting county the list of names for that
19 county from the Statewide jury information system. In providing
20 the information, the Court Administrator shall only provide the
21 name ~~and address~~, ADDRESS AND DATE OF BIRTH of each individual
22 on the list being provided. All other identifying information
23 shall be removed from any list made available pursuant to the
24 request. Under no circumstances may the Court Administrator
25 include any other identifying information.

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26 (e) Restrictions on use of information.--Information
27 provided by the departments to the Court Administrator shall be
28 provided by agreement executed by the appropriate authorities.
29 The agreement shall include, but not be limited to, the
30 following conditions:

1 (1) Information required pursuant to this section will
2 be provided only in an electronic form as determined by the
3 Court Administrator.

4 (2) The information provided shall be used only for the
5 purpose provided in this section and for no other purpose.

6 (3) Except for the purpose of internal review and
7 compliance by the Court Administrator, no lists may be
8 printed from the information submitted, created or produced
9 under this section.

10 (4) ~~Any~~ EXCEPT AS PROVIDED IN SECTION 4521(B) (RELATING ←
11 TO SELECTION OF PROSPECTIVE JURORS), ANY re-release of the
12 information provided pursuant to this section is strictly
13 prohibited.

14 (5) The Statewide jury information system and any list
15 provided by the Court Administrator to the county jury
16 selection commission pursuant to this section may not reveal
17 the source of names on that list or indicate in any way the
18 source of the names submitted pursuant to subsection (a).

19 (6) ~~Nothing~~ EXCEPT AS PROVIDED IN SECTION 4521(B), ←
20 NOTHING submitted, created or produced under this section
21 shall constitute a public document nor shall it be subject to
22 release or disclosure under the act of June 21, 1957
23 (P.L.390, No.212), referred to as the Right-to-Know Law or
24 any other similar rule, enactment or decision.

25 Section 3. This act shall take effect in 60 days.