

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

AS AMENDED ON SECOND CONSIDERATION, HOUSE OF REPRESENTATIVES, JUNE 27, 2007

AN ACT

1 Amending Title 42 (Judiciary and Judicial Procedure) of the
2 Pennsylvania Consolidated Statutes, further providing FOR <—
3 EXEMPTIONS FROM JURY DUTY AND for selection of prospective
4 jurors; PROVIDING FOR STATEWIDE JURY INFORMATION SYSTEM; AND <—
5 FURTHER PROVIDING FOR NO LIMITATION APPLICABLE.

6 The General Assembly of the Commonwealth of Pennsylvania
7 hereby enacts as follows:

8 ~~Section 1. Section 4521(a) of Title 42 of the Pennsylvania~~ <—
9 ~~Consolidated Statutes is amended to read:~~

10 SECTION 1. SECTION 4503(A) OF TITLE 42 OF THE PENNSYLVANIA <—
11 CONSOLIDATED STATUTES IS AMENDED BY ADDING A PARAGRAPH TO READ:

12 § 4503. EXEMPTIONS FROM JURY DUTY.

13 (A) GENERAL RULE.--NO PERSON SHALL BE EXEMPT OR EXCUSED FROM
14 JURY DUTY EXCEPT THE FOLLOWING:

15 * * *

16 (5) PERSONS 70 YEARS OF AGE OR OLDER WHO OPT NOT TO
17 SERVE.

1 * * *

2 SECTION 2. SECTION 4521(A) OF TITLE 42 IS AMENDED TO READ:

3 § 4521. Selection of prospective jurors.

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

5 (1) At least annually the jury selection commission
6 shall prepare a master list of prospective jurors[.] that
7 shall contain the most recent available address for
8 prospective jurors.

9 (2) The list shall also contain all voter registration
10 lists for the county, which lists may be incorporated by
11 reference, or names from such other lists which in the
12 opinion of the commission will provide a number of names of
13 prospective jurors which is equal to or greater than the
14 number of names contained in the voter registration list.

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

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

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

23 [(3)] (ii) Persons in the county participating in any
24 State, county or local program authorized by law and, to the
25 extent such names are available, persons participating in any
26 Federal program authorized by law.

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

28 [(5)] (iv) Any other person whose name does not appear
29 in the master list of prospective jurors and who meets the
30 qualifications for jurors set forth in this chapter and who

1 makes application to the commission to be listed on the
2 master list of prospective jurors.

3 (v) Persons who appear on the list provided to the
4 county pursuant to section 4521.1 (relating to Statewide
5 jury information system) may be used to supplement or
6 substitute the master jury list.

7 * * *

8 Section ~~2~~ 3. Title 42 is amended by adding a section to ←
9 read:

10 § 4521.1. Statewide jury information system.

11 (a) General rule.--Notwithstanding any prohibition found in
12 any other law, regulation or rule to the contrary, the following
13 departments shall submit to the Court Administrator of
14 Pennsylvania, in a format provided herein, a list of individuals
15 as designated for that department to be included in a Statewide
16 jury information system on or before October 31 of each year:

17 (1) The Department of Public Welfare - every individual
18 resident in this Commonwealth who receives cash assistance or
19 food stamps pursuant to a Federal or State program through
20 the department except as prohibited by Federal law or
21 regulation.

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

26 (3) The Department of Revenue - every individual
27 resident who files a return for the payment of taxes imposed
28 by the Commonwealth under Article III of the act of March 4,
29 1971 (P.L.6, No.2), known as the Tax Reform Code of 1971.

30 (4) The Department of State - every individual resident

1 who is listed as a registered voter under 25 Pa.C.S. Pt. IV
2 (relating to voter registration).

3 (b) Identifying information.--Each list submitted by a
4 department pursuant to subsection (a) shall contain only the
5 following identifying information, if available, of an
6 individual to be included in the Statewide jury information
7 system:

8 (1) Name, including first, middle and last names,
9 including any suffixes.

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

13 (3) Date of birth.

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

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

19 (1) Collecting the names from the departments as
20 submitted under subsection (a).

21 (2) Combining each individual department list submitted
22 into a master list.

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

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

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

28 (d) Dissemination.--Upon request from the jury selection
29 commission of the county, the Court Administrator shall make
30 available to the requesting county the list of names for that

1 county from the Statewide jury information system. In providing
2 the information, the Court Administrator shall only provide the
3 name, address and date of birth of each individual on the list
4 being provided. All other identifying information shall be
5 removed from any list made available pursuant to the request.
6 Under no circumstances may the Court Administrator include any
7 other identifying information.

8 (e) Restrictions on use of information.--Information
9 provided by the departments to the Court Administrator shall be
10 provided by agreement executed by the appropriate authorities.
11 The agreement shall include, but not be limited to, the
12 following conditions:

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

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

18 (3) Except for the purpose of internal review and
19 compliance by the Court Administrator, no lists may be
20 printed from the information submitted, created or produced
21 under this section.

22 (4) Except as provided in section 4521(b) (relating to
23 selection of prospective jurors), any re-release of the
24 information provided pursuant to this section is strictly
25 prohibited.

26 (5) The Statewide jury information system and any list
27 provided by the Court Administrator to the county jury
28 selection commission pursuant to this section may not reveal
29 the source of names on that list or indicate in any way the
30 source of the names submitted pursuant to subsection (a).

1 (6) Except as provided in section 4521(b), nothing
2 submitted, created or produced under this section shall
3 constitute a public document nor shall it be subject to
4 release or disclosure under the act of June 21, 1957
5 (P.L.390, No.212), referred to as the Right-to-Know Law or
6 any other similar rule, enactment or decision.

7 SECTION 4. SECTION 5551 OF TITLE 42 IS AMENDED TO READ: <—

8 § 5551. NO LIMITATION APPLICABLE.

9 A PROSECUTION FOR THE FOLLOWING OFFENSES MAY BE COMMENCED AT
10 ANY TIME:

11 (1) MURDER.

12 (2) VOLUNTARY MANSLAUGHTER.

13 (3) CONSPIRACY TO COMMIT MURDER OR SOLICITATION TO
14 COMMIT MURDER IF A MURDER RESULTS FROM THE CONSPIRACY OR
15 SOLICITATION.

16 (4) ANY FELONY ALLEGED TO HAVE BEEN PERPETRATED IN
17 CONNECTION WITH A MURDER OF THE FIRST OR SECOND DEGREE, AS
18 SET FORTH IN 18 PA.C.S. § 2502(A) OR (B) AND (D) (RELATING TO
19 MURDER).

20 (5) A VIOLATION OF 75 PA.C.S. § 3742 (RELATING TO
21 ACCIDENTS INVOLVING DEATH OR PERSONAL INJURY) OR 3732
22 (RELATING TO HOMICIDE BY VEHICLE) IF THE ACCUSED WAS THE
23 DRIVER OF A VEHICLE INVOLVED IN AN ACCIDENT RESULTING IN THE
24 DEATH OF ANY PERSON.

25 (6) A VIOLATION OF 18 PA.C.S. § 2702(A)(1), (2), (4) OR
26 (7) (RELATING TO AGGRAVATED ASSAULT) IF THE ACCUSED KNEW THE
27 VICTIM WAS A LAW ENFORCEMENT OFFICER AND THE LAW ENFORCEMENT
28 OFFICER WAS ACTING WITHIN THE SCOPE OF THE OFFICER'S DUTIES.

29 Section 3 5. This act shall take effect in 60 days. <—