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THE GENERAL ASSEMBLY OF PENNSYLVANIA

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HOUSE BILL

No. 1716 Session of  
2015

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INTRODUCED BY PETRI, COHEN, DIAMOND, GROVE, MILLARD, PICKETT,  
SNYDER, THOMAS AND WATSON, NOVEMBER 30, 2015

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REFERRED TO COMMITTEE ON JUDICIARY, NOVEMBER 30, 2015

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AN ACT

1 Amending Title 42 (Judiciary and Judicial Procedure) of the  
2 Pennsylvania Consolidated Statutes, in judicial boards and  
3 commissions, further providing for composition of jury  
4 selection commission; in facilities and supplies, further  
5 providing for county judicial center or courthouse; and, in  
6 juries and jurors, further providing for challenging  
7 compliance with selection procedures.

8 The General Assembly of the Commonwealth of Pennsylvania  
9 hereby enacts as follows:

10 Section 1. Section 2122(a) of Title 42 of the Pennsylvania  
11 Consolidated Statutes is amended to read:

12 § 2122. Composition of jury selection commissions.

13 (a) General rule.--Except in the first judicial district  
14 [and], other home rule charter counties and counties where the  
15 office of jury commissioner has been abolished, the jury  
16 selection commission shall consist of two jury commissioners  
17 elected as provided in this section and the president judge of  
18 the court of common pleas of the judicial district embracing the  
19 county. The president judge may from time to time assign another  
20 judge of court to perform his duties temporarily. The president

1 judge or his assigned replacement shall be chairman. In counties  
2 where the office of jury commissioner has been abolished, the  
3 jury selection commission shall consist solely of the president  
4 judge of the court of common pleas of the judicial district  
5 embracing the county.

6 \* \* \*

7 Section 2. Section 3721(a) of Title 42 is amended by adding  
8 a paragraph to read:

9 § 3721. County judicial center or courthouse.

10 (a) General rule.--There shall be maintained at the county  
11 seat of each county a facility known as the county judicial  
12 center, which may be the existing county courthouse. The  
13 facility shall provide accommodations and supporting facilities  
14 and services for the following functions, agencies and units of  
15 or related to the unified judicial system:

16 \* \* \*

17 (6.1) The facility need not provide accommodations or  
18 supporting facilities and services for the office of jury  
19 commissioner in counties where that office has been  
20 abolished.

21 \* \* \*

22 Section 3. Section 4526(b) and (d) of Title 42 are amended  
23 to read:

24 § 4526. Challenging compliance with selection procedures.

25 \* \* \*

26 (b) Hearing on petition.--At the hearing on the petition  
27 filed under subsection (a), the moving party is entitled to  
28 present in support of the petition the testimony of the jury  
29 [commissioners or their] selection commission or the jury  
30 selection commission's clerks, any relevant records and papers

1 not public or otherwise available used by the jury  
2 [commissioners or their] selection commission or the jury  
3 selection commission's clerks and any other relevant evidence.  
4 If the court determines that in selecting persons to fill the  
5 array the [commissioners have] jury selection commission failed  
6 to substantially comply with this subchapter, the court shall  
7 stay the proceedings requiring the service of jurors pending the  
8 selection of a new array in conformity with this subchapter or  
9 may grant other appropriate relief.

10 \* \* \*

11 (d) Records.--The contents of any records or papers used by  
12 the jury [commissioners or their] selection commission or the  
13 jury selection commission's clerks in connection with the  
14 selection process and not made public under this subchapter  
15 shall not be disclosed (except in connection with the  
16 preparation or presentation of a petition filed under subsection  
17 (a)) until after the list of qualified jurors or jury wheel has  
18 been emptied and refilled and all persons selected to serve as  
19 jurors before the list of qualified jurors or jury wheel was  
20 emptied have been discharged.

21 \* \* \*

22 Section 4. This act shall take effect immediately.