

# HOUSE BILL 713

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9lr1612

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By: **Delegate Rosenberg**

Introduced and read first time: February 7, 2019

Assigned to: Judiciary

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## A BILL ENTITLED

1 AN ACT concerning

2 **Jury Duty – Individuals Qualified for Jury Service Living Outside the United**  
3 **States**

4 FOR the purpose of requiring an individual otherwise qualified for jury service living  
5 outside the United States be excused by a jury judge or jury commissioner from jury  
6 service for a certain period after submitting a certain affidavit under penalty of  
7 perjury; requiring a jury judge to summon the individual for jury service after a  
8 certain date; making a technical correction; and generally relating to jury service.

9 BY repealing and reenacting, with amendments,  
10 Article – Courts and Judicial Proceedings  
11 Section 8–402  
12 Annotated Code of Maryland  
13 (2013 Replacement Volume and 2018 Supplement)

14 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND,  
15 That the Laws of Maryland read as follows:

16 **Article – Courts and Judicial Proceedings**

17 8–402.

18 (a) Subject to the requirements of this section, a jury judge or, if a county's jury  
19 plan allows, its jury commissioner may disqualify, excuse, or exempt an individual who is  
20 summoned for jury service or reschedule jury service.

21 (b) An individual may be disqualified only on the basis of information provided  
22 on a juror questionnaire or during an interview or other competent evidence.

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EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



1 (c) (1) [To] **EXCEPT AS PROVIDED IN SUBSECTION (D) OF THIS SECTION,**  
2 **TO** be excused, an individual shall show, on a juror questionnaire, during an interview, or  
3 by other competent evidence, that extreme inconvenience, public necessity, or undue  
4 hardship requires excusal.

5 (2) An individual may be excused:

6 (i) Only for the period that the jury judge or jury commissioner  
7 considers necessary; and

8 (ii) Not more than twice unless the jury judge **OR JURY**  
9 **COMMISSIONER** finds that the individual has shown an extraordinary circumstance that  
10 requires an additional excuse.

11 (3) When the period set under this subsection expires, a jury commissioner  
12 again shall summon the individual for jury service.

13 **(D) (1) AN OTHERWISE QUALIFIED INDIVIDUAL LIVING OUTSIDE THE**  
14 **UNITED STATES SHALL BE EXCUSED FROM JURY SERVICE FOR AN EXTENDED**  
15 **PERIOD IF THE INDIVIDUAL SUBMITS TO THE JURY JUDGE OR JURY COMMISSIONER**  
16 **AN AFFIDAVIT SIGNED UNDER PENALTY OF PERJURY STATING:**

17 **(I) THE INDIVIDUAL'S FOREIGN MAILING ADDRESS; AND**

18 **(II) THE DATE BY WHICH THE INDIVIDUAL INTENDS TO RETURN**  
19 **TO THE UNITED STATES.**

20 **(2) AFTER THE DATE PROVIDED BY THE INDIVIDUAL IN AN AFFIDAVIT**  
21 **UNDER PARAGRAPH (1) OF THIS SUBSECTION, A JURY JUDGE AGAIN SHALL SUMMON**  
22 **THE INDIVIDUAL FOR JURY SERVICE.**

23 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect  
24 October 1, 2019.