~~Indicates Matter Stricken~~

Indicates New Matter

COMMITTEE REPORT

April 18, 2012

**H. 4758**

Introduced by Reps. Johnson, Brantley, Sabb, Govan, Brannon, Munnerlyn, Anthony, Edge, Pope, Simrill and Whipper

S. Printed 4/18/12--H.

Read the first time February 9, 2012.

**THE COMMITTEE ON JUDICIARY**

To whom was referred a Bill (H. 4758) to amend Section 14‑7‑110 and Section 14‑7‑140, as amended, Code of Laws of South Carolina, 1976, relating to jury commissioners for the purpose, etc., respectfully

**REPORT:**

That they have duly and carefully considered the same and recommend that the same do pass:

JAMES H. HARRISON for Committee.

**A** **BILL**

TO AMEND SECTION 14‑7‑110 AND SECTION 14‑7‑140, AS AMENDED, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO JURY COMMISSIONERS FOR THE PURPOSE OF THE SUMMONING OF JURORS IN CIRCUIT COURT AND THE USE OF A COMPUTER FOR THE DRAWING AND SUMMONING OF JURORS IN CIRCUIT COURT, RESPECTIVELY, BOTH SO AS TO DELETE REFERENCES TO JURY COMMISSIONERS AND ALLOW THE CLERK OF COURT OR THE DEPUTY CLERK TO PERFORM THE FUNCTION OF DRAWING AND SUMMONING JURORS.

Be it enacted by the General Assembly of the State of South Carolina:

SECTION 1. Section 14‑7‑110 of the 1976 Code is amended to read:

“Section 14‑7‑110. The ~~county auditor, the county treasurer, and the~~ clerk of the court of common pleas of each county in this State shall perform the duties ~~set forth and are known as jury commissioners~~ provided in this article for the summoning of jurors.”

SECTION 2. Section 14‑7‑140 of the 1976 Code, as last amended by Act 224 of 2006, is further amended to read:

“Section 14‑7‑140. Notwithstanding the provisions of this chapter, the ~~jury commissioners~~ clerk of court or deputy clerk of court of a county, when drawing and summoning jurors for the court of common pleas, general sessions, or the grand jury, may utilize a computer for this purpose at the discretion of the governing body of the county. Computer software employed for the purpose of drawing and summoning jurors must be designed so as to ensure a random selection of jurors from the population available for jury service. ~~The physical presence of all the jury commissioners is not required at the computerized drawing and summoning of jurors if the governing body of the county establishes a secure procedure allowing for their participation by other means.~~ The computerized drawing and summoning of jurors must take place in the office of the clerk of court as a public event to ensure the absolute integrity of the random selection process. The Supreme Court shall direct by order the appropriate procedures required to implement the provisions of this section.”

SECTION 3. This act takes effect upon approval by the Governor.

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