

By: Representative Dixon

To: Judiciary B

HOUSE BILL NO. 1199

1 AN ACT TO AMEND SECTION 13-5-1, MISSISSIPPI CODE OF 1972, TO
2 PROHIBIT FAMILY OR FRIENDS OF A VICTIM OR DEFENDANT FROM BEING
3 JURORS IN PROCEEDINGS INVOLVING THE VICTIM OR DEFENDANT; AND FOR
4 RELATED PURPOSES.

5 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MISSISSIPPI:

6 **SECTION 1.** Section 13-5-1, Mississippi Code of 1972, is
7 amended as follows:

8 13-5-1. Every citizen not under the age of twenty-one (21)
9 years, who is either a qualified elector, or a resident freeholder
10 of the county for more than one (1) year, is able to read and
11 write, and has not been convicted of an infamous crime, or the
12 unlawful sale of intoxicating liquors within a period of five (5)
13 years and who is not a common gambler or habitual drunkard, is a
14 competent juror. No person who is or has been within twelve (12)
15 months the overseer of a public road or road contractor shall,
16 however, be competent to serve as a grand juror. The lack of any
17 such qualifications on the part of one or more jurors shall not,
18 however, vitiate an indictment or verdict. Moreover, no talesman
19 or tales juror shall be qualified who has served as such talesman



20 or tales juror in the last preceding two (2) years, and no juror
21 shall serve on any jury who has served as such for the last
22 preceding two (2) years. No juror shall serve who has a case of
23 his own pending in that court, provided there are sufficient
24 qualified jurors in the district, and for trial at that term. No
25 person who is a family member or friend of a victim or a defendant
26 in a criminal proceeding shall serve as a juror in any proceeding
27 involving the victim or defendant.

28 In order to determine that prospective jurors can read and
29 write, the presiding judge shall, with the assistance of the
30 clerk, distribute to the jury panel a form to be completed
31 personally by each juror prior to being empaneled as follows:

32 "1. Your name _____ last _____ first _____ middle
33 initial.

34 2. Your home address _____.

35 3. Your occupation _____.

36 4. Your age _____.

37 5. Your telephone number _____. If none, write none.

38 6. If you live outside the county seat, the number of miles
39 you live from the courthouse _____ miles.

40 _____

41 Sign your name"

42 The judge shall personally examine the answers of each juror
43 prior to empaneling the jury and each juror who cannot complete
44 the above form shall be disqualified as a juror and discharged.



45 A list of any jurors disqualified for jury duty by reason of
46 inability to complete the form shall be kept by the circuit clerk
47 and their names shall not be placed in the jury box thereafter
48 until such person can qualify as above provided.

49 **SECTION 2.** This act shall take effect and be in force from
50 and after July 1, 2013.

