

SENATE STAFF ANALYSIS AND ECONOMIC IMPACT STATEMENT

(This document is based on the provisions contained in the legislation as of the latest date listed below.)

BILL: SB 1658

SPONSOR: Senator Smith

SUBJECT: Jurors

DATE: March 19, 2001 REVISED: _____

	ANALYST	STAFF DIRECTOR	REFERENCE	ACTION
1.	Johnson	Johnson	JU	Favorable
2.	_____	_____	_____	_____
3.	_____	_____	_____	_____
4.	_____	_____	_____	_____
5.	_____	_____	_____	_____
6.	_____	_____	_____	_____

I. Summary:

This bill provides that lists of prospective jurors will be developed from the list of registered voters in a county rather than from the list of persons holding a driver’s license or an identification card.

The effective date of the bill is October 1, 2001.

This bill substantially amends ss. 40.01, 40.011, 40.022, and 322.20 of the Florida Statutes.

II. Present Situation:

Section 40.01, Florida Statutes, provides that jurors must be selected from persons at least 18 years of age who are citizens of the United States and legal residents of this state and their respective counties and who possess an official Florida driver’s license or identification card. Alternatively, an individual whose name does not appear on the list of registered drivers or holders of an identification card may execute an affidavit pursuant to s. 40.011, F.S., expressing his or her desire to serve as a juror.

III. Effect of Proposed Changes:

Section 1. Section 40.01 F.S., is amended to require that a prospective juror must be registered elector in their county of residence or have completed the affidavit expressing their desire to serve as a juror. The requirement that they hold a valid driver’s license or Florida identification card is removed.

Section 2. Section 40.011 F.S., is amended to remove the requirements related to receiving the list of prospective jurors from the Department of Highway Safety and the directions to the department for purging of that list.

Section 3. Section 40.022 F.S., relating to the clerk's requirement to purge lists is amended to replace the reference to the list of drivers license holders with the list of registered voters.

Section 4. Section 98.095 F.S., is amended to authorize information in the county registers of registered voters to be furnished to the courts for the purpose of jury selection.

Section 5. Section 322.20 F.S., is amended to remove the authority of the Department of Highway Safety and Motor Vehicles to furnish lists of holders of Florida driver's licenses and Florida identification cards to the clerks of the court for purposes of selecting jurors.

Section 6. The effective date of the bill is October 1, 2001.

IV. Constitutional Issues:

A. Municipality/County Mandates Restrictions:

None.

B. Public Records/Open Meetings Issues:

None.

C. Trust Funds Restrictions:

None.

V. Economic Impact and Fiscal Note:

A. Tax/Fee Issues:

None.

B. Private Sector Impact:

None.

C. Government Sector Impact:

The Department of Highway Safety and Motor Vehicles has indicated that the bill would have no fiscal impact on the agency even though they would no longer be providing lists of registered drivers and holders of State identification cards to the 67 clerks of the court. The county supervisor of elections would have some costs associated with providing the list or registered voters to the clerk of the court. That amount would vary for each county.

VI. Technical Deficiencies:

None.

VII. Related Issues:

None.

VIII. Amendments:

None.

This Senate staff analysis does not reflect the intent or official position of the bill's sponsor or the Florida Senate.
