



HOUSE BILL 522: Modify Service/Release of Alternate Jurors.

2021-2022 General Assembly

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| Committee: Senate Rules and Operations of the Senate | Date: June 29, 2021 |
| Introduced by: Reps. Yarborough, Stevens, Zachary | Prepared by: Kristen L. Harris* |
| Analysis of: Second Edition | Staff Attorney |

OVERVIEW: *House Bill 522 would modify the provisions regulating the service and release of alternate jurors.*

CURRENT LAW:

According to G.S. 15A-1215(a), a judge may seat one or more alternate jurors during a proceeding to take the place of an impaneled juror who is unable to serve. Alternate jurors are generally treated the same as an impaneled juror. Alternate jurors must be discharged upon the final submission of the case to the jury.

BILL ANALYSIS:

Section 1 would amend G.S. 15A-1215(a) to clarify that alternate jurors are not to discuss the case with anyone until replaced or discharged. It would further clarify that if an alternate juror was appointed due to an impaneled juror's inability to serve, the jury would need to begin deliberating anew, if deliberations had begun. Additionally, it would clarify that alternate jurors would be discharged in the same manner and at the same time as the original jury. In no event would more than 12 jurors participate in deliberations.

Sections 2-4 would make conforming changes.

EFFECTIVE DATE: This act becomes effective October 1, 2021, and applies to jurors or alternate jurors selected on or after that date.

* *Hillary Woodard and Susan Sitze, Legislative Analysis Division, substantially contributed to this summary.*

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