



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

2021-2022 General Assembly

Committee:		Date:	February 23, 2022
Introduced by:		Prepared by:	Kristen L. Harris Staff Attorney
Analysis of:	S.L. 2021-94		

OVERVIEW: *S.L. 2021-94 modifies the provisions regulating the service and release of alternate jurors.*

This act became effective October 1, 2021, and applies to jurors or alternate jurors selected on or after that date.

BILL ANALYSIS:

Section 1 amends G.S. 15A-1215(a) to clarify that an alternate juror is not to discuss the case with anyone until he or she replaces an impaneled juror or is discharged. It further clarifies that if an alternate juror replaces an impaneled juror after deliberations have begun, the jury must begin deliberating anew. Additionally, it clarifies that alternate jurors must be discharged in the same manner and at the same time as the original jury. In no event should more than 12 jurors participate in deliberations.

Sections 2-4 make conforming changes.

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

BACKGROUND:

Prior to the enactment of S.L. 2021-94, pursuant to G.S. 15A-1215(a), a judge could seat one or more alternate jurors during a proceeding to take the place of an impaneled juror who was unable to serve. Alternate jurors were generally treated the same as an impaneled juror. Alternate jurors were discharged upon the final submission of the case to the jury.

Jeffrey Hudson
Director



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Legislative Analysis
Division
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