# HOUSE BILL 365:
# Require That Jurors Be US Citizens.

*2023-2024 General Assembly*

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| **Committee:** | House Judiciary 1. If favorable, re-refer to Rules, Calendar, and Operations of the House | **Date:** | March 29, 2023 |
| **Introduced by:** | Reps. Cleveland, Crutchfield, Carson Smith, Sossamon | **Prepared by:** | Brad Krehely Committee Co-Counsel |
| **Analysis of:** | First Edition | | |

*OVERVIEW:  House Bill 365 would require that jurors be citizens of the United States.*

*CURRENT LAW:*  Chapter 9 of the General Statutes governs the process of summoning prospective jurors for trials of cases in superior and district courts, including the compilation of a jury list and the selection of jurors. With respect to juror service, the qualifications are codified in G.S. 9-3.

### G.S. 9-3. Qualifications of prospective jurors.
Qualified jurors must:

- Be a citizen of the State.
- Be a resident of the county where the summons was issued.
- Be at least 18 years old.
- Be physically and mentally competent.
- Be able to understand English.

Qualified jurors must NOT:

- Have served as a juror during the previous two years.
- Have served a full term as a grand juror in the last six years.
- Have a felony conviction unless citizenship rights have been restored. (Citizenship and voting rights are automatically restored upon completion of the sentence. No special document is needed.)

**BILL ANALYSIS:**  House Bill 365 would codify the holding of the North Carolina Supreme Court in *Hinton v. Hinton,* 196 N.C. 341 (1928) requiring United States citizenship as a qualification for jury service.

**EFFECTIVE DATE:**  The act would be effective when it became law, and would apply to jurors empaneled on or after that date.

Erika Churchill, Staff Attorney for the Legislative Analysis Division, contributed to the drafting of this summary.

*This bill analysis was prepared by the nonpartisan legislative staff for the use of legislators in their deliberations and does not constitute an official statement of legislative intent.*