

ASSEMBLY, No. 3676

STATE OF NEW JERSEY 217th LEGISLATURE

INTRODUCED APRIL 14, 2016

Sponsored by:

Assemblyman JOHN F. MCKEON

District 27 (Essex and Morris)

Assemblyman REED GUSCIORA

District 15 (Hunterdon and Mercer)

Assemblywoman VALERIE VAINIERI HUTTLE

District 37 (Bergen)

Co-Sponsored by:

Assemblyman Eustace

SYNOPSIS

Prohibits disqualification from jury service based on gender identity or sexual orientation.

CURRENT VERSION OF TEXT

As introduced.



(Sponsorship Updated As Of: 5/13/2016)

1 AN ACT concerning disqualification from jury service and
2 amending R.S.10:1-8.

3

4 **BE IT ENACTED** by the Senate and General Assembly of the State
5 of New Jersey:

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7 1. R.S.10:1-8 is amended to read as follows:

8 10:1-8. No citizen possessing all other qualifications prescribed
9 by law shall be disqualified for service as a grand or petit juror in
10 any court on account of race, color, creed, national origin, ancestry,
11 marital status **[or]**, sex, gender identity, or affectional or sexual
12 orientation, and any officer or other person charged with any duty
13 in the selection or summoning of jurors who shall exclude or fail to
14 summon any citizen for the cause aforesaid shall, on conviction
15 thereof, be deemed guilty of a **[misdemeanor]** crime of the fourth
16 degree, and be fined not more than \$5,000.00.

17 (cf: P.L.1970, c.80, s.3)

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19 2. This act shall take effect immediately.

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STATEMENT

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24 This bill would make it unlawful to disqualify a person from jury
25 service based on the person's gender identity or affectional or
26 sexual orientation. In addition, any officer or other person
27 responsible for the selection or summoning of jurors who excludes
28 or fails to summon a person based on the person's gender identity
29 or affectional or sexual orientation would be guilty of a crime of the
30 fourth degree and fined up to \$5,000.00.

31 Under current law, it is unlawful to disqualify a citizen for
32 service as a grand or petit juror based on race, color, creed, national
33 origin, ancestry, marital status or sex, and any officer or other
34 person responsible for the selection or summoning of jurors who
35 excludes or fails to summon any citizen on such basis, who
36 possesses all other qualifications prescribed by law is guilty of a
37 misdemeanor, and subject to a fine of up to \$5,000.

38 In addition to prohibiting disqualification based on gender
39 identity or affectional or sexual orientation, the bill would also
40 update the statute to be consistent with Title 2C of the New Jersey
41 Statutes, "New Jersey Code of Criminal Justice," P.L.1978, c.95.
42 Title 2C abolishes the categories of "misdemeanor" and "high
43 misdemeanor" and sets out rules for their classification within the
44 new statutory scheme. (See N.J.S.2C:1-4, 2C:1-5, and 2C:43-1).
45 Pursuant to the new scheme, a violation of this provision would be a
46 crime of the fourth degree.

EXPLANATION – Matter enclosed in bold-faced brackets **[thus]** in the above bill is
not enacted and is intended to be omitted in the law.

Matter underlined thus is new matter.