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HOUSE BILL 181

50TH LEGISLATURE - STATE OF NEW MEXICO - FIRST SESSION, 2011

INTRODUCED BY

George Dodge, Jr.

FOR THE MILITARY AND VETERANS' AFFAIRS COMMITTEE

AN ACT

RELATING TO JURIES; REQUIRING REMOVAL OF SERVICE MEMBERS KILLED
OR MISSING IN ACTION FROM JURY DATABASES.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF NEW MEXICO:

SECTION 1. Section 38-5-3 NMSA 1978 (being Laws 1991,
Chapter 71, Section 2, as amended) is amended to read:

"38-5-3. SOURCE FOR JUROR SELECTION.--

A. Each county clerk shall make available to the
secretary of state a database of registered voters of the
clerk's county. The secretary of state shall preserve and make
available to the department of information technology, by
electronic media, a database of New Mexico registered voters,
by county, which shall be updated every six months. The
director of the motor vehicle division of the taxation and
revenue department shall make available by electronic media to

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1 the department of information technology a database of driver's
2 license holders in each county, which shall be updated every
3 six months. The secretary of taxation and revenue shall make
4 available to the department of information technology, by
5 electronic media, a database of New Mexico personal income tax
6 filers by county, which shall be updated every six months. The
7 updates shall occur in June and December.

8 B. The department of information technology shall
9 program the merger of the registered voter, driver's license
10 and personal income tax filer databases from each county to
11 form a master jury database and write a computer program so
12 that a random selection of jurors can be made. A
13 discrimination shall not be exercised except for the
14 elimination of persons who are not eligible for jury service.
15 The administrative office of the courts shall provide
16 specifications for the merging of the registered voter,
17 driver's license and personal income tax filer databases to
18 form the master jury database. The [~~merged database~~
19 ~~information~~] master jury database shall be the database that
20 produces the random jury list for the selection of petit or
21 grand jurors for the state courts.

22 C. The secretary of veterans' services and the
23 adjutant general of the department of military affairs shall
24 make available, by electronic media, to the department of
25 information technology a database of service members who were

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1 killed or missing in action during military service, which
2 shall be updated every month. The department of information
3 technology shall remove the names of service members who were
4 killed or missing in action during military service from the
5 master jury database that produces the random jury list for the
6 state courts.

7 ~~[G-]~~ D. The court shall, by order, designate the
8 number of potential jurors to be selected and the date on which
9 the jurors are to report for empaneling. Within fifteen days
10 after receipt of a copy of the order, the administrative office
11 of the courts shall provide the random jury list to the court.
12 The department of information technology shall print the random
13 jury list and jury summons mailer forms within ten days after
14 receiving the request from the administrative office of the
15 courts. Upon issuance of the order, the department of
16 information technology shall draw from the most current
17 registered voter, driver's license and personal income tax
18 filer databases to create the random jury list.

19 ~~[D-]~~ E. The department of information technology
20 may transfer the master jury database to a court that has
21 compatible equipment to accept such a transfer. The court
22 accepting the master jury database shall transfer the
23 information to a programmed computer used for the random
24 selection of petit or grand jurors."