

REFERENCE TITLE: Size Of Juries; Waiver

State of Arizona
Senate
Thirtieth Legislature
Second Regular Session

S. B. 1131

Introduced by

Sandra O'Connor

AN ACT

RELATING TO JURIES; PRESCRIBING SIZE OF JURIES, DEGREE OF UNANIMITY REQUIRED AND WAIVER; REPEALING SECTION 21-102, ARIZONA REVISED STATUTES; AMENDING TITLE 21, CHAPTER 1, ARTICLE 1, ARIZONA REVISED STATUTES, BY ADDING A NEW SECTION 21-102, AND PROVIDING FOR CONDITIONAL ENACTMENT.

Be it enacted by the Legislature of the State of Arizona:

Section 1. Repeal

Section 21-102, Arizona Revised Statutes, is repealed.

Sec. 2. Title 21, chapter 1, article 1, Arizona Revised Statutes, is amended by adding a new section 21-102, to read:

21-102. Juries; size; degree of unanimity required;

waiver

A. A JURY FOR TRIAL OF A CRIMINAL CASE IN WHICH A JUDGMENT OF DEATH IS AUTHORIZED BY LAW SHALL CONSIST OF TWELVE PERSONS, AND THE CONCURRENCE OF ALL SHALL BE NECESSARY TO RENDER A VERDICT.

B. A JURY FOR TRIAL IN ANY COURT OF ANY OTHER CRIMINAL CASE, OTHER THAN A PETTY OFFENSE, SHALL CONSIST OF SIX PERSONS, AND THE CONCURRENCE OF ALL SHALL BE NECESSARY TO RENDER A VERDICT.

C. A JURY FOR TRIAL IN ANY COURT OF A CIVIL CASE OR OF A CRIMINAL PETTY OFFENSE SHALL CONSIST OF SIX PERSONS, AND THE CONCURRENCE OF ALL BUT ONE SHALL BE NECESSARY TO RENDER A VERDICT.

Ray Adams
Scott Campbell
Robert Cook
John King
Ray Rottler
David Hill
Charles Stewart
Les Carter

[Signature]
[Signature]

1 D. THE PARTIES IN A CIVIL CASE, AND THE PARTIES WITH THE CON-
2 SENT OF THE COURT IN A CRIMINAL CASE, MAY WAIVE TRIAL BY JURY, OR AT
3 ANY TIME BEFORE A VERDICT IS RETURNED CONSENT TO TRY THE CASE WITH OR
4 RECEIVE A VERDICT CONCURRED IN BY A LESSER NUMBER OF JURORS THAN THAT
5 SPECIFIED ABOVE.

6 Sec. 3. Conditional enactment

7 This act shall not become effective until such time as the
8 constitution of Arizona is amended by vote of the people to provide
9 that the number of jurors required for a trial be specified by law.