

The Legislature  
of the  
State of New Mexico

50th Legislature, 1st Session

LAWS 2011

CHAPTER 26

HOUSE BILL 181, as amended

Introduced by

REPRESENTATIVE GEORGE DODGE, JR. AND REPRESENTATIVE THOMAS A. GARCIA

REPRESENTATIVE ELISEO LEE ALCON  
REPRESENTATIVE EDWARD C. SANDOVAL  
REPRESENTATIVE RODOLPHO S. MARTINEZ



FOR THE MILITARY AND VETERANS' AFFAIRS  
COMMITTEE

# CHAPTER 26

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

B. The department of information technology shall

1 program the merger of the registered voter, driver's license  
2 and personal income tax filer databases from each county to  
3 form a master jury database and write a computer program so  
4 that a random selection of jurors can be made. A  
5 discrimination shall not be exercised except for the  
6 elimination of persons who are not eligible for jury service.  
7 The administrative office of the courts shall provide  
8 specifications for the merging of the registered voter,  
9 driver's license and personal income tax filer databases to  
10 form the master jury database. The master jury database shall  
11 be the database that produces the random jury list for the  
12 selection of petit or grand jurors for the state courts.

13 C. The secretary of veterans' services and the  
14 adjutant general of the department of military affairs shall  
15 make available, by electronic media, to the administrative  
16 office of the courts a database of service members who were  
17 killed or missing in action during military service, which  
18 shall be updated every six months. The administrative office  
19 of the courts shall remove the names of service members who  
20 were killed or missing in action during military service from  
21 the master jury database that produces the random jury list  
22 for the state courts.

23 D. The court shall, by order, designate the number  
24 of potential jurors to be selected and the date on which the  
25 jurors are to report for empaneling. Within fifteen days

1 after receipt of a copy of the order, the administrative  
2 office of the courts shall provide the random jury list to the  
3 court. The department of information technology shall print  
4 the random jury list and jury summons mailer forms within ten  
5 days after receiving the request from the administrative  
6 office of the courts. Upon issuance of the order, the  
7 department of information technology shall draw from the most  
8 current registered voter, driver's license and personal income  
9 tax filer databases to create the random jury list.

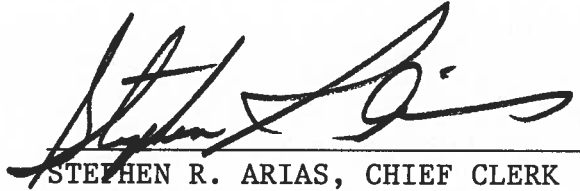
10 E. The department of information technology may  
11 transfer the master jury database to a court that has  
12 compatible equipment to accept such a transfer. The court  
13 accepting the master jury database shall transfer the  
14 information to a programmed computer used for the random  
15 selection of petit or grand jurors." \_\_\_\_\_

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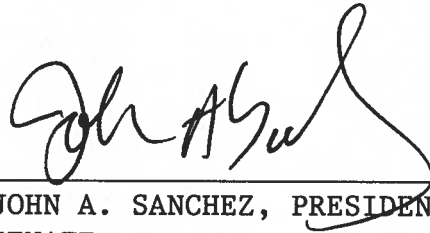
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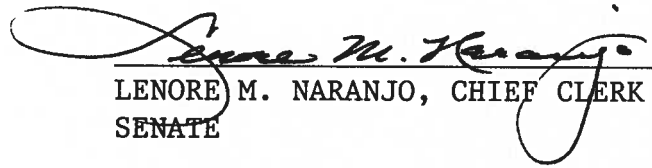
BEN LUJAN, SPEAKER  
HOUSE OF REPRESENTATIVES



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HOUSE OF REPRESENTATIVES



JOHN A. SANCHEZ, PRESIDENT  
SENATE



LENORE M. NARANJO, CHIEF CLERK  
SENATE

Approved by me this 1st day of April, 2011



SUSANA MARTINEZ, GOVERNOR  
STATE OF NEW MEXICO

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