

SENATE BILL No. 404

DIGEST OF INTRODUCED BILL

Citations Affected: IC 35-37-1-1.

Synopsis: Six member jury for Class C felony. Provides that a six person jury must be used in a criminal trial for a Class C felony unless the defendant and prosecuting attorney agree to a number of jurors that is more than six and less than 13.

Effective: July 1, 1998.

Washington, Kenley

January 9, 1998, read first time and referred to Committee on Judiciary.

C
o
p
y



Introduced

Second Regular Session 110th General Assembly (1998)

PRINTING CODE. Amendments: Whenever an existing statute (or a section of the Indiana Constitution) is being amended, the text of the existing provision will appear in this style type, additions will appear in **this style type**, and deletions will appear in ~~this style type~~.

Additions: Whenever a new statutory provision is being enacted (or a new constitutional provision adopted), the text of the new provision will appear in **this style type**. Also, the word **NEW** will appear in that style type in the introductory clause of each SECTION that adds a new provision to the Indiana Code or the Indiana Constitution.

Conflict reconciliation: Text in *this style type* or ~~this style type~~ reconciles conflicts between statutes enacted by the 1997 General Assembly.

C
O
P
Y

SENATE BILL No. 404



A BILL FOR AN ACT to amend the Indiana Code concerning criminal law and procedure.

Be it enacted by the General Assembly of the State of Indiana:

1 SECTION 1. IC 35-37-1-1 IS AMENDED TO READ AS
 2 FOLLOWS [EFFECTIVE JULY 1, 1998]: Sec. 1. (a) The jury venire
 3 called by a court may be used in civil or criminal cases.
 4 (b) If a defendant is charged with:
 5 (1) murder, a Class A felony, **or** a Class B felony, ~~or a Class C~~
 6 ~~felony~~, the jury shall consist of twelve (12) qualified jurors unless
 7 the defendant and prosecuting attorney agree to a lesser number;
 8 **(2) a Class C felony, the jury shall consist of six (6) qualified**
 9 **jurors, unless the defendant and prosecuting attorney agree**
 10 **to a number of jurors that is more than six (6) and less than**
 11 **thirteen (13); or**
 12 ~~(2)~~ **(3) any other crime not described in subdivision (1) or (2),**
 13 the jury shall consist of six (6) qualified jurors.
 14 SECTION 2. [EFFECTIVE JULY 1, 1998] IC 35-37-1-1, as
 15 amended by this act, applies only to juries convened after June 30,
 16 1998.

