

GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2005

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SENATE DRS65183-LL-7 (12/1)

Short Title: Jurors May Not Profit From Service.

(Public)

Sponsors: Senator Rand.

Referred to:

A BILL TO BE ENTITLED

AN ACT TO PROVIDE THAT JURORS MAY NOT PROFIT FROM THEIR JURY SERVICE AND SHALL BE SUBJECT TO FORFEITURE OF SUCH PROFITS.

The General Assembly of North Carolina enacts:

SECTION 1. Article 1 of Chapter 9 of the General Statutes is amended by adding a new section to read:

"§ 9-7.1. No profits based upon jury service; forfeiture.

(a) Pursuant to the public policy set forth by G.S. 9-6(a) establishing jury service as a solemn public duty of all qualified citizens, no person performing jury service may profit from that service and shall be subject to forfeiture of any such profit. For purposes of this section, "profit" from jury service means any income, assets, or other property obtained through or generated as a direct result of jury service, whether generated as compensation for written or oral accounts provided by the juror about the jury deliberations or by any other means. "Profit" does not include the fees and expenses provided to a juror pursuant to G.S. 7A-312 or any other authorized compensation for jury service.

(b) Whenever an officer of the court or other person believes that a juror has profited from jury service in violation of subsection (a) of this section, that person shall notify the Attorney General, who may initiate forfeiture proceedings under this section upon a determination that there are reasonable grounds to believe that the person has profited from jury service in violation of this section. Such an action shall be an in rem proceeding against the income, assets, or other property and shall be governed by Chapter 1A of the General Statutes. The clear proceeds of any forfeitures ordered by the court under this section shall be deposited in the Civil Penalty and Forfeiture Fund established in G.S. 115C-457.1."

SECTION 2. This act is effective when it becomes law and applies to acts committed on or after that date.