

2SSB 5128 - H COMM AMD

By Committee on Civil Rights & Judiciary

ADOPTED 04/07/2023

1 Strike everything after the enacting clause and insert the
2 following:

3 "NEW SECTION. **Sec. 1.** A new section is added to chapter 2.36
4 RCW to read as follows:

5 The administrative office of the courts shall provide all courts
6 with a method to collect data on a juror's race, ethnicity, age, sex,
7 employment status, educational attainment, and income, as well as any
8 other data approved by order of the chief justice of the Washington
9 state supreme court. Data collection must be conducted and reported
10 in a manner that preserves juror anonymity. The administrative office
11 of the courts shall publish this demographic data in an annual report
12 to the governor.

13 NEW SECTION. **Sec. 2.** (1)(a) The administrative office of the
14 courts shall establish a work group to make recommendations for the
15 creation of a child care assistance program for individuals reporting
16 for jury service.

17 (b) The purpose of the child care assistance program shall be to
18 eliminate the absence of child care as a barrier to performing jury
19 service.

20 (2)(a) By December 1, 2024, the administrative office of the
21 courts shall report the work group findings and recommendations for
22 establishing a child care assistance program to the appropriate
23 committees of the legislature.

24 (b) The report must outline the planning and implementation of
25 the program and an estimation of the cost.

26 (3) This section expires December 1, 2024.

27 **Sec. 3.** RCW 2.36.095 and 2013 c 246 s 1 are each amended to read
28 as follows:

29 (1) Persons selected to serve on a petit jury, grand jury, or
30 jury of inquest shall be summoned by mail or personal service, or

1 electronically. The county clerk shall issue summons and thereby
2 notify persons selected for jury duty. The clerk may issue summons
3 for any jury term, in any consecutive twelve-month period, at any
4 time thirty days or more before the beginning of the jury term for
5 which the summons are issued. However, when applicable, the
6 provisions of RCW 2.36.130 apply.

7 (2) In courts of limited jurisdiction summons shall be issued by
8 the court. Upon the agreement of the courts, the county clerk may
9 summon jurors for any and all courts in the county or judicial
10 district.

11 **Sec. 4.** RCW 2.36.054 and 2015 c 225 s 1 are each amended to read
12 as follows:

13 Unless otherwise specified by rule of the supreme court, the jury
14 source list and master jury list for each county shall be created as
15 provided by this section.

16 (1) The superior court of each county, after consultation with
17 the county clerk and county auditor of that jurisdiction, shall
18 annually notify the consolidated technology services agency not later
19 than March 1st of each year of its election to use either a jury
20 source list that is merged by the county or a jury source list that
21 is merged by the consolidated technology services agency. The
22 consolidated technology services agency shall annually furnish at no
23 charge to the superior court of each county a separate list of the
24 registered voters residing in that county as supplied annually by the
25 secretary of state and a separate list of driver's license and
26 identicard holders residing in that county as supplied annually by
27 the department of licensing, or a merged list of all such persons
28 residing in that county, in accordance with the annual notification
29 required by this subsection. The lists provided by the consolidated
30 technology services agency shall be in an electronic format mutually
31 agreed upon by the superior court requesting it and the consolidated
32 technology services agency. The annual merger of the list of
33 registered voters residing in each county with the list of licensed
34 drivers and identicard holders residing in each county to form a jury
35 source list for each county shall be in accordance with the standards
36 and methodology established in this chapter or by superseding court
37 rule whether the merger is accomplished by the consolidated
38 technology services agency or by a county.

1 (2)(a) Persons on the lists of registered voters and driver's
2 license and identicard holders shall be identified by a minimum of
3 last name, first name, middle initial where available, date of birth,
4 gender, and county of residence. Identifying information shall be
5 used when merging the lists to ensure to the extent reasonably
6 possible that persons are only listed once on the merged list.
7 Conflicts in addresses are to be resolved by using the most recent
8 record by date of last vote in a general election, date of driver's
9 license or identicard address change or date of voter registration.

10 (b) After July 1, 2024, persons who:

11 (i) Apply for a driver's license or identicard in this state
12 shall have the ability to opt in to allow the department of licensing
13 to share the person's email address with the consolidated technology
14 services agency for the purpose of electronically receiving jury
15 summons and other communications related to jury service; and

16 (ii) Apply online to the register to vote shall, immediately
17 after completing the voter registration transaction, be directed by
18 the secretary of state to a website where the person shall have the
19 ability to opt in to share the person's email address with the
20 consolidated technology services agency for the purpose of
21 electronically receiving jury summons and other communications
22 related to jury service. The provisions of the subsection (2)(b)(ii)
23 are subject to appropriation.

24 (3) The consolidated technology services agency shall provide
25 counties that elect to receive a jury source list merged by the
26 consolidated technology services agency with a list of names which
27 are possible duplicates that cannot be resolved based on the
28 identifying information required under subsection (2) of this
29 section. If a possible duplication cannot subsequently be resolved
30 satisfactorily through reasonable efforts by the county receiving the
31 merged list, the possible duplicate name shall be stricken from the
32 jury source list until the next annual jury source list is prepared."

33 Correct the title.

EFFECT: Makes the following changes to the ability for persons to
share their email address with the consolidated technology services
agency:

Clarifies that a person who applies for a driver's license or
identicard would have the ability to opt in to share their email
address to receive jury summons and related communications;

Clarifies that a person who applies online to register to vote would immediately be directed to a website where the person could opt in to share their email address to receive jury summons and related communications if appropriations are made for such purpose; and

Changes the date from January 1, 2024, to July 1, 2024, for when persons would be able to opt in to share their email address with the agency.

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