

~~(2) AS OF THE DATE ON WHICH THE INDIVIDUAL COMPLETES A JUROR QUALIFICATION FORM, THE INDIVIDUAL:~~

~~(I) IS NOT INCARCERATED, ON PROBATION, OR ON PAROLE, OR REQUIRED UNDER FEDERAL OR STATE LAW TO REGISTER AS A CHILD SEXUAL OFFENDER, AN OFFENDER, A SEXUALLY VIOLENT OFFENDER, OR A SEXUALLY VIOLENT PREDATOR; AND~~

~~(II) HAS COMPLETED, AND AT LEAST 3 YEARS HAVE ELAPSED SINCE THE INDIVIDUAL COMPLETED, THE COURT ORDERED SENTENCE FOR THE CONVICTION, INCLUDING COMMUNITY SERVICE, FINE, PAROLE, PROBATION, AND RESTITUTION.~~

COMMITTEE NOTE: Subsection (a) of this section is new language substituted for former CJ § 8-207(b)(1) and (8), which barred those “not constitutionally qualified to vote” and “under 18”. The substitution is based on the statutory criteria for voter registration in current EL § 3-102(a)(1) through (3) but revised to date adulthood from the date of selection as a prospective juror and to base county residence on the date of being sworn as a juror. The substitution adds the introductory disclaimer, “[n]otwithstanding § 8-102 of this subtitle”, to make clear that the all-inclusive statement of public policy is curtailed by the specific criteria set forth in this section. The substitution uses, in subsection (a)(3) of this section, the phrase “in the county” instead of the former clause “where the court convenes”, to accommodate an extraordinary circumstance that might require a court to sit outside its county. As to “adult” and “county”, see Art. 1, §§ 24 and 14 of the Code, respectively.

Subsection (b)(1) through (3) of this section is new language derived from former CJ § 8-207(b)(2) through (4).

Subsection (b)(4) and (5) of this section is new language substituted for former CJ § 8-207(b)(5) and (6), which excluded individuals based on a crime “punishable by a fine of more than \$500, or by imprisonment for more than six months, or both” or a charge of wilful misrepresentation to avoid jury service. The substitution uses crimes “punishable by imprisonment exceeding ~~1 year~~ 6 months” (instead of the infamous crime standard in Md. Const., Art. I § 4 as implemented by current EL § 3-102(b) and (c)), ~~to be consistent with the requirement for federal jury duty under 28 U.S.C. §§ 1865(b)(5) and 1869(h) and, thereby, to avoid a dual standard in Maryland. However, subsection (c) of this section is new and added to allow a disqualifying conviction to be overcome, not only by pardon (as allowed under former CJ § 8-207(b)(5)) but by the passage of time after completion of sentence.~~

In the introductory language of subsection (b) of this section, reference to the federal Americans with Disabilities Act is added for consistency with the addition of “disability” in revised CJ § 8-102(b) and to emphasize the public policy of this State to avoid discrimination based on disability. See, e.g., Art. 49B of the Code. In accord with that policy, in subsection (b)(3) of