

HOUSE BILL 1830

By Hawk

AN ACT to amend Tennessee Code Annotated, Title 20;  
Title 22 and Title 40, relative to grand juries.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF TENNESSEE:

SECTION 1. This act shall be known and may be cited as the "Grand Jury Act of 2011."

SECTION 2. Tennessee Code Annotated, Title 40, Chapter 12, is amended by adding the following language as a new section:

40-12-108.

(a) Notwithstanding any rule of court to the contrary, on the first day of each term of court at which a grand jury is required to be impaneled, the judge of the court that is authorized by law to charge the grand jury and to receive the report of that body shall direct the names of all the qualified jurors in attendance for the criminal courts of the county to be written on separate slips of paper and placed in a box or other suitable receptacle and drawn out by the judge in open court. The fifteen (15) qualified jurors whose names are first drawn shall be the grand jury for the term and shall attend the court until dismissed by the judge or until the next term.

(b) Notwithstanding any rule of court to the contrary, the judge of the court that is authorized by law to charge the grand jury and to receive the report of that body shall appoint the foreperson of the grand juries in the counties of their respective jurisdiction from the fifteen (15) randomly selected grand jurors. If concurrent grand juries are impaneled, a foreperson shall be appointed for each grand jury. The foreperson shall hold office and exercise the powers and duties of foreperson for a term of two (2) years from appointment; provided that,

in the discretion of the presiding judge, the foreperson may be removed, relieved, or excused from office for good cause at any time. The foreperson's term is subject to all of the restrictions of state law regarding the service of jurors. The foreperson is a member of the grand jury and may vote with other grand jurors and the foreperson's vote shall count toward the twelve (12) necessary for the return of an indictment.

SECTION 3. This act shall take effect upon becoming a law, the public welfare requiring it.