

**Sixty-first Legislative Assembly of North Dakota  
In Regular Session Commencing Tuesday, January 6, 2009**

SENATE BILL NO. 2119  
(Judiciary Committee)  
(At the request of the Supreme Court)

AN ACT to amend and reenact sections 29-17-03 and 29-17-13 of the North Dakota Century Code, relating to selection of prospective jurors; and to repeal sections 29-17-05, 29-17-06, 29-17-07, 29-17-08, 29-17-10, and 29-17-11 of the North Dakota Century Code, relating to selection of jurors.

**BE IT ENACTED BY THE LEGISLATIVE ASSEMBLY OF NORTH DAKOTA:**

**SECTION 1. AMENDMENT.** Section 29-17-03 of the North Dakota Century Code is amended and reenacted as follows:

**29-17-03. Clerk to ~~prepare ballots~~ selection of juror names - Randomized list.** At the opening of the court, the clerk shall ~~prepare separate ballots, each containing the name of a person returned as a juror. Such ballots must be folded as nearly alike as possible and so that the name cannot be seen, and must be deposited in a sufficient box~~ select the names of prospective jurors from a randomized list of names developed in accordance with chapter 27-09.1 and supreme court rule.

**SECTION 2. AMENDMENT.** Section 29-17-13 of the North Dakota Century Code is amended and reenacted as follows:

**29-17-13. Number failing, others summoned.** If a sufficient number of jurors cannot be ~~obtained from the box~~ selected to form a trial jury, the court, as often as is necessary, may order the sheriff to summon from the body of the county as many persons qualified to serve as jurors as the court deems sufficient to form a jury. The jurors so summoned may be called from the list returned by the sheriff, and as many of them not excused or discharged as may be necessary to complete the jury must be impaneled and sworn.

**SECTION 3. REPEAL.** Sections 29-17-05, 29-17-06, 29-17-07, 29-17-08, 29-17-10, and 29-17-11 of the North Dakota Century Code are repealed.

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President of the Senate

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Speaker of the House

\_\_\_\_\_  
Secretary of the Senate

\_\_\_\_\_  
Chief Clerk of the House

This certifies that the within bill originated in the Senate of the Sixty-first Legislative Assembly of North Dakota and is known on the records of that body as Senate Bill No. 2119.

Senate Vote:    Yeas    42        Nays    0        Absent    5

House Vote:    Yeas    91        Nays    0        Absent    3

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Secretary of the Senate

Received by the Governor at \_\_\_\_\_ M. on \_\_\_\_\_, 2009.

Approved at \_\_\_\_\_ M. on \_\_\_\_\_, 2009.

\_\_\_\_\_  
Governor

Filed in this office this \_\_\_\_\_ day of \_\_\_\_\_, 2009,  
at \_\_\_\_\_ o'clock \_\_\_\_\_ M.

\_\_\_\_\_  
Secretary of State