
SENATE COMMITTEE ON APPROPRIATIONS

Senator Anthony Portantino, Chair
2019 - 2020 Regular Session

AB 3070 (Weber) - Juries: peremptory challenges

Version: August 13, 2020

Policy Vote: PUB. S. 4 - 3

Urgency: No

Mandate: No

Hearing Date: August 20, 2020

Consultant: Shaun Naidu

Bill Summary: AB 3070 would make substantive and procedural revisions related to the prohibition on the use of a peremptory challenge to remove a prospective jury in a criminal trial on the basis of a protected characteristic of the prospective juror.

***** **ANALYSIS ADDENDUM – SUSPENSE FILE** *****

The following information is revised to reflect amendments
adopted by the committee on August 20, 2020

Fiscal Impact:

- Department of Justice: The department reports an annual ongoing cost of \$1.788 million for 5.0 Deputy Attorneys General and 3.0 Legal Secretaries to handle an increase in appeals associated with this measure. (General Fund)
- Courts: Unknown, potentially-significant workload cost pressures to the courts to hear and decide objections to peremptory challenges, which would require an evidentiary hearing. While the superior courts are not funded on a workload basis, an increase in workload could result in delayed court services and would put pressure on the General Fund to fund additional staff and resources. For example, the Budget Act of 2020 appropriated \$273.8 million from the General Fund to backfill continued reduction in fine and fee revenue for trial court operations. (General Fund*)

*Trial Court Trust Fund

Committee Amendments: Delay the application of the provisions of this bill to all jury trials in which jury selection begins on or after January 1, 2022. Sunset on the exclusion of civil cases on January 1, 2026. Add a severability clause.

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