

Senate Engrossed House Bill
civil juries; size; concurrence

State of Arizona
House of Representatives
Fifty-fifth Legislature
First Regular Session
2021

CHAPTER 160
HOUSE BILL 2185

AN ACT

AMENDING SECTION 21-102, ARIZONA REVISED STATUTES; RELATING TO JURIES.

(TEXT OF BILL BEGINS ON NEXT PAGE)

1 Be it enacted by the Legislature of the State of Arizona:

2 Section 1. Section 21-102, Arizona Revised Statutes, is amended to
3 read:

4 21-102. Juries; size; degree of unanimity required; waiver

5 A. A jury for trial of a criminal case in which a sentence of death
6 or imprisonment for thirty years or more is authorized by law shall
7 consist of twelve persons, and the concurrence of all shall be necessary
8 to render a verdict.

9 B. A jury for trial in any court of record of any other criminal
10 case shall consist of eight persons, and the concurrence of all shall be
11 necessary to render a verdict.

12 C. UNTIL JANUARY 1, 2023, THE PRESIDING JUDGE OF THE SUPERIOR COURT
13 IN THE COUNTY MAY ORDER THAT a jury for trial in any court of record of a
14 civil case shall consist of ~~eight~~ EITHER SIX persons, and the concurrence
15 of all but ~~two~~ ONE shall be necessary to render a verdict OR EIGHT
16 PERSONS, AND THE CONCURRENCE OF ALL BUT TWO SHALL BE NECESSARY TO RENDER A
17 VERDICT. BEGINNING ON JANUARY 1, 2023, A JURY FOR TRIAL IN ANY COURT OF
18 RECORD OF A CIVIL CASE SHALL CONSIST OF EIGHT PERSONS, AND THE CONCURRENCE
19 OF ALL BUT TWO SHALL BE NECESSARY TO RENDER A VERDICT.

20 D. In a court not of record, a jury for trial of any case shall
21 consist of six persons. The concurrence of all in a criminal case and all
22 but one in a civil case shall be necessary to render a verdict.

23 E. The parties in a civil case, and the parties with the consent of
24 the court in a criminal case, may waive trial by jury, or at any time
25 before a verdict is returned consent to try the case with or receive a
26 verdict concurred in by a lesser number of jurors than that specified
27 above.

28 Sec. 2. Emergency

29 This act is an emergency measure that is necessary to preserve the
30 public peace, health or safety and is operative immediately as provided by
31 law.

APPROVED BY THE GOVERNOR APRIL 1, 2021.

FILED IN THE OFFICE OF THE SECRETARY OF STATE APRIL 1, 2021.