

strong presumption that the law would operate prospectively only. In 1920 the Florida Supreme Court held that:

A statute is not to be given a retrospective effect, unless its terms show clearly that such an effect was intended. (Citations omitted.)

The rule that statutes are not to be construed retrospectively, unless such construction was plainly intended by the Legislature, applies with peculiar force to those statutes the retrospective operation of which would impair or destroy vested rights. (Citations omitted.) [*In Re Seven Barrels of Wine*, 79 Fla. 1, 83 So. 627, 632 (1920).]

Accord: *Herberle v. P.R.O. Liquidating Company*, 186 So.2d 280 (1 D.C.A. Fla., 1966).

Accordingly, your first question is answered in the negative. Your second question is answered in the affirmative.

073-206—June 7, 1973

ADULT RIGHTS LAW

PERSONS EIGHTEEN YEARS OF AGE AND OLDER SUBJECT TO JURY DUTY

To: Randall P. Kirkland, Clerk, Circuit and County Courts, Orlando

Prepared by: Jan Dunn, Assistant Attorney General

QUESTION:

Does Ch. 73-21, Laws of Florida, the Adult Rights Law, necessitate the inclusion of eighteen to twenty-year-olds on jury venire?

SUMMARY:

Under Ch. 73-21, Laws of Florida, the Adult Rights Law, effective July 1, 1973, persons eighteen years of age or older must be included in the jury venire.

Your question must be answered in the affirmative.

Section 2 of Ch. 73-21 [§743.07, F. S.] says that persons eighteen years of age or older "shall enjoy and suffer the rights, privileges and obligations of all persons 21 years of age or older except as otherwise excluded by the Constitution of the State of Florida"

There can be no question but that jury duty is a right and obligation of citizens. "The state has an inherent and indisputable right to the service of its citizens as jurors. Such service is both the right and the duty of qualified persons. . . ." 20 Fla. Jur. *Jury* §38.

The qualifications for jurors are listed in §40.01, F. S. One requirement is that jurors be over the age of twenty-one years. Since persons over eighteen years of age will, upon the effective date of this law, July 1, 1973, enjoy and suffer the rights and obligations of persons twenty-one or older, of which jury duty is one, and since there is no contradictory provision in the Florida Constitution, it necessarily follows that persons eighteen to twenty years of age must be included in the jury venire.