

SB30 INTRODUCED



1 SB30
2 KNK65AA-1
3 By Senator Singleton
4 RFD: Judiciary
5 First Read: 06-Feb-24



SYNOPSIS:

Under existing law, an individual may be excused from jury service only in certain situations.

This bill would allow an individual 75 years of age or older to be excused from jury service on the basis of his or her age and, upon the individual's request, to be permanently exempt from jury service.

A BILL
TO BE ENTITLED
AN ACT

Relating to jury service; to amend Sections 12-16-62 and 12-16-63, Code of Alabama 1975; to allow individuals 75 years of age or older to be excused from jury service and to request a permanent exemption from jury service.

BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

Section 1. Sections 12-16-62 and 12-16-63, Code of Alabama 1975, are amended to read as follows:

"§12-16-62

(a) No qualified prospective juror is exempt from jury service, except as provided in subsection (b).

(b) An individual who is 75 years of age or older may submit a written statement to the court requesting that he or



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she be permanently exempt from jury service. On receipt of the request, the court shall remove the prospective juror from the master jury list."

"§12-16-63

(a) The court, upon the request of a prospective juror pursuant to this section, shall determine on the basis of information provided during an interview with the prospective juror or based on other competent evidence whether the prospective juror should be excused from jury service.

(b) ~~(1) A person~~ An individual who is not disqualified for jury service may apply to be excused from jury service by the court ~~only upon a~~ in each of the following circumstances:

a. The individual is 75 years of age or older.

b. The individual provides a showing of undue or extreme physical or financial hardship. ~~7~~

c. The individual has a mental or physical condition that incapacitates ~~the person,~~ him or her.

~~d. or public~~ Public necessity. ~~7~~

(2) An individual may be excused from jury service for a period of up to 24 months, at the conclusion of which the ~~person~~ individual may be directed to reappear for jury service in accordance with the court's direction.

~~(1) A person~~ (3) An individual asking to be excused based on undue or extreme physical or financial hardship shall take all actions necessary to have obtained a ruling on that request by no later than the date on which the individual is scheduled to appear for jury duty. Documentation of such hardship shall be provided to the court upon request.



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57 ~~(2)~~ (4) For purposes of this article, undue or extreme
58 physical or financial hardship is limited to any of the
59 following circumstances in which an individual would:

60 a. Be required to abandon ~~a person~~ an individual under
61 his or her personal care or supervision due to the
62 impossibility of obtaining an appropriate substitute caregiver
63 during the period of participation in the jury pool or on the
64 jury.

65 b. Incur costs that would have a substantial adverse
66 impact on the payment of the individual's necessary daily
67 living expenses or on those for whom he or she provides the
68 principal means of support.

69 c. Suffer physical hardship that would result in
70 illness or disease.

71 (3) Undue or extreme physical or financial hardship
72 does not exist solely based on the fact that a prospective
73 juror will be required to be absent from his or her place of
74 employment.

75 (c) The excusal of ~~a person~~ an individual from jury
76 service pursuant to subsection (b) shall not affect the
77 person's right to one automatic postponement under Section
78 12-16-63.1."

79 Section 2. This act shall become effective October 1,
80 2024.