

**SB64 INTRODUCED**



1 5V7T36-1  
2 By Senators Singleton, Orr  
3 RFD: Judiciary  
4 First Read: 07-Mar-23  
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SYNOPSIS:

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

This bill would allow an individual 70 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 70 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 70 years of age or older may submit a written statement to the court requesting that he or



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

32 "§12-16-63

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

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

41 a. The individual is 70 years of age or older.

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

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

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

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

51 ~~(1) A person~~ (3) An individual asking to be excused  
52 based on undue or extreme physical or financial hardship shall  
53 take all actions necessary to have obtained a ruling on that  
54 request by no later than the date on which the individual is  
55 scheduled to appear for jury duty. Documentation of such  
56 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 on the first  
80 day of the third month following its passage and approval by  
81 the Governor, or its otherwise becoming law.