

HB209 ENGROSSED



1 HB209

2 XD8MHEZ-2

3 By Representatives DuBose, Rafferty, Hulsey, Shaver, Shirey,

4 Wilcox, Wood (D), Lands, Fidler

5 RFD: Judiciary

6 First Read: 06-Feb-25



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A BILL
TO BE ENTITLED
AN ACT

Relating to juries; to amend Section 12-16-63, Code of Alabama 1975; to provide an exemption from jury service for nursing mothers.

BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

Section 1. This act shall known and may be cited as Parker's Law.

Section 2. Section 12-16-63, Code of Alabama 1975, is amended to read as follows:

"§12-16-63

(a) ~~The court, upon~~ Upon the request of a prospective juror pursuant to this section, the court 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) ~~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 showing of ~~undue~~ one of the following:

(1) That serving on a jury would result in undue or extreme physical or financial hardship, ~~a.~~



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29 (2) The prospective juror has a mental or physical
30 condition that incapacitates ~~the person, or~~ him or her.

31 (3) The prospective juror is a nursing mother at the
32 time she receives a summons.

33 (4) The prospective juror should be excused for reasons
34 of public necessity, for a period of up to 24 months, at the
35 conclusion of which the person may be directed to reappear for
36 jury service in accordance with the court's direction.

37 (c) (1) ~~A person~~ An individual asking to be excused
38 based on undue or extreme physical or financial hardship shall
39 take all actions necessary to have obtained a ruling on that
40 request by no later than the date on which the individual is
41 scheduled to appear for jury duty. ~~Documentation of such~~
42 ~~hardship shall be provided to the court upon request.~~ Upon the
43 request of the court, the individual seeking to be excused
44 must provide documentation of the hardship.

45 (2) For purposes of this ~~article~~ section, undue or
46 extreme physical or financial hardship is limited to any of
47 the following circumstances in which an individual would:

48 a. Be required to abandon ~~a person~~ an individual under
49 his or her personal care or supervision due to the
50 impossibility of obtaining an appropriate substitute caregiver
51 during the period of participation in the jury pool or on the
52 jury.

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



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57 c. Suffer physical hardship that would result in
58 illness or disease.

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

63 (d) An individual asking to be excused under
64 subdivision (b) (3) shall provide to the court: (i) a written
65 statement that she is a nursing mother; and (ii) a certificate
66 of birth or other government document or medical record
67 certifying the birth of the child she is nursing.

68 (e) (1) A prospective juror excused pursuant to this
69 section shall be exempt from jury service for a period of 24
70 months.

71 (2) At the conclusion of the 24-month period, the
72 individual may be directed to reappear for jury service at the
73 court's direction.

74 (f) ~~(e)~~ The excusal of ~~a person~~ an individual from jury
75 service pursuant to ~~subsection (b)~~ shall this section may not
76 affect ~~the person's~~ his or her right to one automatic
77 postponement under Section 12-16-63.1."

78 Section 3. This act shall become effective on October
79 1, 2025.



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House of Representatives

Read for the first time and referred06-Feb-25
to the House of Representatives
committee on Judiciary

Read for the second time and placed20-Feb-25
on the calendar:
1 amendment

Read for the third time and passed04-Mar-25
as amended
Yeas 103
Nays 0
Abstains 0

John Treadwell
Clerk