

**House Judiciary Reported Substitute for SB76**

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 be 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.~~



House Judiciary Reported Substitute for SB76

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.

**House Judiciary Reported Substitute for SB76**

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

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

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

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

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

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

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