

# STATE OF NEW YORK

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1879--A

2021-2022 Regular Sessions

## IN ASSEMBLY

January 11, 2021

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Introduced by M. of A. DINOWITZ, LAVINE, OTIS -- read once and referred to the Committee on Judiciary -- recommitted to the Committee on Judiciary in accordance with Assembly Rule 3, sec. 2 -- committee discharged, bill amended, ordered reprinted as amended and recommitted to said committee

AN ACT to amend the judiciary law, in relation to excusing prospective jurors who are over the age of 75 or have a health condition putting such person at greater risk for severe illness from COVID-19; and providing for the repeal of such provisions upon expiration thereof

The People of the State of New York, represented in Senate and Assembly, do enact as follows:

1 Section 1. Paragraph 1 of subdivision (a) of section 517 of the judiciary law, as amended by chapter 380 of the laws of 2019, is amended and  
2 a new paragraph 3 is added to read as follows:

3 (1) Except as otherwise provided in ~~[paragraph]~~ paragraphs two and  
4 three of this subdivision, the commissioner of jurors may, in his or her  
5 discretion, on the application of a prospective juror who has been  
6 summoned to attend, excuse such prospective juror from a part or the  
7 whole of the time of jury service or may postpone the time of jury  
8 service to a later day during the same or any subsequent term of the  
9 court, provided that if the prospective juror is a breastfeeding mother  
10 and submits with her application a note from a physician indicating that  
11 the prospective juror is breastfeeding, the commissioner shall excuse  
12 the prospective juror or postpone the time of jury service. The applica-  
13 tion shall be presented to the commissioner at such time and in such  
14 manner as he or she shall require, except that an application for post-  
15 ponement of the initial date for jury service may be made by telephone.  
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17 (3) An application to be excused from jury service shall be granted if  
18 the prospective juror is over the age of seventy-five or if such appli-  
19 cant submits a letter with their application from a health care provider

EXPLANATION--Matter in italics (underscored) is new; matter in brackets  
[-] is old law to be omitted.

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1 stating that the prospective juror has an underlying health condition  
2 which puts such person at greater risk for severe illness from COVID-19.  
3 § 2. This act shall take effect immediately and shall expire and be  
4 deemed repealed April 1, 2023.