S T A T E O F N E W Y O R K

533

2009-2010 Regular Sessions

I N S E N A T E

(PREFILED)

January 7, 2009

Introduced by Sen. ALESI -- read twice and ordered printed, and when printed to be committed to the Committee on Judiciary

AN ACT to amend the judiciary law, in relation to excusal from jury duty for persons seventy years of age or older with documented disabilities or health problems

THE PEOPLE OF THE STATE OF NEW YORK, REPRESENTED IN SENATE AND ASSEMBLY, DO ENACT AS FOLLOWS:

Section 1. Subdivision (c) of section 517 of the judiciary law, as amended by chapter 86 of the laws of 1995, is amended to read as follows:

(c) In determining whether an application for excusal should be granted, the commissioner or the court shall consider whether the applicant has a mental or physical condition that causes him or her to be incapable of performing jury service or there is any other fact WHICH indicates that attendance for jury service in accordance with the summons would cause undue hardship or extreme inconvenience to the applicant, a person under his or her care or supervision, or the public. AN APPLICANT FOR EXCUSAL OF THE AGE OF SEVENTY YEARS OR OLDER WHO SUBMITS DOCUMENTATION OF A DISABILITY OR HEALTH PROBLEM SHALL BE DEEMED TO HAVE SUFFICIENT CAUSE AND SHALL BE EXCUSED FROM ATTENDANCE FOR JURY SERVICE IN ACCORDANCE WITH THE SUMMONS. Except as provided in paragraph two of subdivision (a) of this section, in determining whether an application for postponement should be granted, the commissioner or the court shall be guided by standards promulgated by the chief administrator of the courts.

S 2. This act shall take effect on the first of the calendar month next succeeding the sixtieth day after it shall have become a law.

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

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