

# STATE OF NEW YORK

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748

2019-2020 Regular Sessions

## IN SENATE

(Prefiled)

January 9, 2019

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Introduced by Sens. MONTGOMERY, COMRIE -- 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 providing an exemption from jury duty for breastfeeding women

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

1 Section 1. Paragraphs 1 and 2 of subdivision (a) of section 517 of the  
2 judiciary law, paragraph 1 as amended and paragraph 2 as added by chap-  
3 ter 86 of the laws of 1995, are amended to read as follows:

4 (1) Except as otherwise provided in paragraph two of this subdivision,  
5 the commissioner of jurors may, in his or her discretion, on the appli-  
6 cation of a prospective juror who has been summoned to attend, excuse  
7 such prospective juror from a part or the whole of the time of jury  
8 service or may postpone the time of jury service to a later day during  
9 the same or any subsequent term of the court, provided that if the  
10 prospective juror is a breastfeeding mother and submits with her appli-  
11 cation a note from a physician indicating that the prospective juror is  
12 breastfeeding, the commissioner shall excuse the prospective juror or  
13 postpone the time of jury service. The application shall be presented to  
14 the commissioner at such time and in such manner as he or she shall  
15 require, except that an application for postponement of the initial date  
16 for jury service may be made by telephone.

17 (2) An application for postponement of jury service shall be granted  
18 hereunder provided: (i) such service has not already been postponed or  
19 excused, (ii) the application is made at such time and in such manner as  
20 the commissioner of jurors requires, and (iii) the postponement is to a  
21 date certain when the court is in session not more than six months after  
22 the date on which such service otherwise is to commence and such date is  
23 selected by the prospective juror, provided that if the prospective  
24 juror is a breastfeeding mother, the postponement date may be a date  
25 certain up to two years after the date on which such service otherwise  
26 is to commence.

27 § 2. This act shall take effect immediately.

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

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