STATE OF NEW YORK

1879--A

2021-2022 Regular Sessions

IN ASSEMBLY

January 11, 2021

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:

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 a new paragraph 3 is added to read as follows:

(1) Except as otherwise provided in [~~paragraph~~] **paragraphs** two **and three** of this subdivision, the commissioner of jurors may, in his or her discretion, on the application of a prospective juror who has been summoned to attend, excuse such prospective juror from a part or the whole of the time of jury service or may postpone the time of jury service to a later day during the same or any subsequent term of the court, provided that if the prospective juror is a breastfeeding mother and submits with her application a note from a physician indicating that the prospective juror is breastfeeding, the commissioner shall excuse the prospective juror or postpone the time of jury service. The application shall be presented to the commissioner at such time and in such manner as he or she shall require, except that an application for postponement of the initial date for jury service may be made by telephone.

(3) An application to be excused from jury service shall be granted if the prospective juror is over the age of seventy-five or if such applicant 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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stating that the prospective juror has an underlying health condition which puts such person at greater risk for severe illness from COVID-19.

§ 2. This act shall take effect immediately and shall expire and be deemed repealed April 1, 2023.