

STATE OF NEW YORK

949

2021-2022 Regular Sessions

IN SENATE

(Prefiled)

January 6, 2021

Introduced by Sen. GAUGHRAN -- 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 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 judi-
2 ciary law, as amended by chapter 380 of the laws of 2019, is amended and
3 a new paragraph 3 is added to read as follows:

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

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
20 stating that the prospective juror has an underlying health condition
21 which puts such person at greater risk for severe illness from COVID-19.

22 § 2. This act shall take effect immediately and shall expire and be
23 deemed repealed April 1, 2022.

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

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