

# STATE OF NEW YORK

2346

2023-2024 Regular Sessions

## IN ASSEMBLY

January 25, 2023

Introduced by M. of A. DINOWITZ, EPSTEIN, MITAYNES, KELLES, BURDICK, SIMON, GALLAGHER, SAYEGH, SEAWRIGHT, GIBBS, DARLING, FORREST -- read once and referred to the Committee on Judiciary

AN ACT to amend the judiciary law, in relation to increasing the amount of allowance that trial and grand jurors are entitled to in each court of the unified court system

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

1 Section 1. Subdivision (a) of section 521 of the judiciary law, as  
2 amended by chapter 302 of the laws of 2002, is amended to read as  
3 follows:

4 (a) Except as provided in subdivision (b) of this section, trial and  
5 grand jurors in each court of the unified court system shall be entitled  
6 to an allowance equal to the sum of [~~forty~~ seventy-two dollars per day  
7 for each and every day of physical attendance wherein the court  
8 convenes, except that no person who is employed shall be entitled to  
9 receive such allowance if, pursuant to section five hundred nineteen of  
10 this article, his or her employer is prohibited from withholding the  
11 first [~~forty~~ seventy-two dollars of wages of such person during such  
12 period and such person's daily wages equal or exceed [~~forty~~ seventy-two  
13 dollars. If such person's daily wages are less than [~~forty~~ seventy-two  
14 dollars, he or she shall be entitled to receive an allowance hereunder  
15 equal to the difference between [~~forty~~ seventy-two dollars and the  
16 amount of his or her daily wages. Such fees and those expenses actually  
17 and necessarily incurred in providing food and lodging for jurors shall  
18 be a state charge payable out of funds appropriated to the office of  
19 court administration for that purpose.

20 § 2. Section 519 of the judiciary law, as added by chapter 85 of the  
21 laws of 1995, is amended to read as follows:

22 § 519. Right of juror to be absent from employment. Any person who is  
23 summoned to serve as a juror under the provisions of this article and

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

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1 who notifies his or her employer to that effect prior to the commence-  
2 ment of a term of service shall not, on account of absence from employ-  
3 ment by reason of such jury service, be subject to discharge or penalty.  
4 An employer may, however, withhold wages of any such employee serving as  
5 a juror during the period of such service; provided that an employer who  
6 employs more than ten employees shall not withhold the first [~~forty~~  
7 seventy-two dollars of such juror's daily wages during the first three  
8 days of jury service. Withholding of wages in accordance with this  
9 section shall not be deemed a penalty. Violation of this section shall  
10 constitute a criminal contempt of court punishable pursuant to section  
11 seven hundred fifty of this chapter.  
12 § 3. This act shall take effect December 31, 2023.