

HOUSE BILL 439

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CF SB 538

By: **Delegates Summers, Anderson, Arora, Ivey, Kramer, Niemann, Stukes,
Swain, Valentino-Smith, Vallario, and Zucker**

Introduced and read first time: January 27, 2014

Assigned to: Judiciary

Committee Report: Favorable with amendments

House action: Adopted

Read second time: February 25, 2014

CHAPTER _____

1 AN ACT concerning

2 **Courts – Jury Service – Excusal**

3 FOR the purpose of providing that ~~a certain primary caregiver of a certain minor or a~~
4 certain parent may be excused from jury service under certain circumstances;
5 and generally relating to jury service and excusals from jury service.

6 BY repealing and reenacting, with amendments,
7 Article – Courts and Judicial Proceedings
8 Section 8–402
9 Annotated Code of Maryland
10 (2013 Replacement Volume and 2013 Supplement)

11 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF
12 MARYLAND, That the Laws of Maryland read as follows:

13 **Article – Courts and Judicial Proceedings**

14 8–402.

15 (a) Subject to the requirements of this section, a jury judge or, if a county's
16 jury plan allows, its jury commissioner may disqualify, excuse, or exempt an
17 individual who is summoned for jury service or reschedule jury service.

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.

Underlining indicates amendments to bill.

~~Strike out~~ indicates matter stricken from the bill by amendment or deleted from the law by amendment.



1 (b) An individual may be disqualified only on the basis of information
2 provided on a juror questionnaire or during an interview or other competent evidence.

3 (c) (1) To be excused, an individual shall show, on a juror questionnaire,
4 during an interview, or by other competent evidence, that [extreme]:

5 (I) **EXTREME** inconvenience, public necessity, or undue
6 hardship requires excusal; **OR**

7 (II) **THE INDIVIDUAL IS:**

8 ~~1. A PRIMARY CAREGIVER FOR A MINOR UNDER THE~~
9 ~~AGE OF 6 YEARS AND UNABLE TO FIND CHILD CARE FOR THAT MINOR;~~

10 ~~2. A BREAST-FEEDING MOTHER OF AN INFANT~~
11 ~~UNDER THE AGE OF 2 YEARS; OR~~

12 ~~3. A PARENT CURRENTLY ON PATERNITY OR~~
13 ~~MATERNITY LEAVE.~~

14 (2) An individual may be excused:

15 (i) Only for the period that the jury judge or jury commissioner
16 considers necessary; and

17 (ii) Not more than twice unless the jury judge finds that the
18 individual has shown an extraordinary circumstance that requires an additional
19 excuse.

20 (3) When the period set under this subsection expires, a jury
21 commissioner again shall summon the individual for jury service.

22 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
23 October 1, 2014.

Approved:

Governor.

Speaker of the House of Delegates.

President of the Senate.