

# SENATE BILL 921

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SB 150/04 – JPR

8lr3174

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By: **Senator Jacobs**

Introduced and read first time: February 20, 2008

Assigned to: Rules

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## A BILL ENTITLED

1 AN ACT concerning

2 **Jury Duty – Excusal from Service – Breast-Feeding Mother**

3 FOR the purpose of requiring a jury judge or jury commissioner to excuse from jury  
4 service a mother who is breast-feeding a child under a certain age; requiring  
5 the jury commissioner to again summon the mother for jury service when the  
6 child attains a certain age; and generally relating to excusal from jury service.

7 BY repealing and reenacting, with amendments,  
8 Article – Courts and Judicial Proceedings  
9 Section 8–402  
10 Annotated Code of Maryland  
11 (2006 Replacement Volume and 2007 Supplement)

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

14 **Article – Courts and Judicial Proceedings**

15 8–402.

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

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

21 (c) (1) To be excused, an individual shall show, on a juror questionnaire,  
22 during an interview, or by other competent evidence, that extreme inconvenience,  
23 public necessity, or undue hardship requires excusal.

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EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



1                   (2)    An individual may be excused:

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

4                           (ii)   Not more than twice unless the jury judge finds that the  
5 individual has shown an extraordinary circumstance that requires an additional  
6 excuse.

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

9                   **(D)   (1)    A JURY JUDGE OR JURY COMMISSIONER SHALL EXCUSE FROM**  
10 **JURY SERVICE A MOTHER WHO IS BREAST-FEEDING A CHILD UNDER THE AGE**  
11 **OF 2 YEARS.**

12                           **(2)    WHEN THE CHILD ATTAINS THE AGE OF 2 YEARS, A JURY**  
13 **COMMISSIONER AGAIN SHALL SUMMON THE MOTHER FOR JURY SERVICE.**

14                   SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect  
15 October 1, 2008.