

SENATE BILL No. 345

By Committee on Judiciary

1-20

1 AN ACT concerning jurors; relating to exclusions from jury service;
2 removing breastfeeding mothers from the mandatory exclusion list and
3 including them on the discretionary exclusion list; amending K.S.A.
4 43-158 and 43-159 and repealing the existing sections.
5

6 *Be it enacted by the Legislature of the State of Kansas:*

7 Section 1. K.S.A. 43-158 is hereby amended to read as follows: 43-
8 158. The following persons shall be excused from jury service:

9 (a) Persons unable to understand the English language with a degree
10 of proficiency sufficient to respond to a jury questionnaire form prepared
11 by the commissioner;

12 (b) persons under adjudication of incompetency;

13 (c) persons who within 10 years immediately preceding have been
14 convicted of or pleaded guilty, or nolo contendere, to an indictment or
15 information charging a felony; *and*

16 (d) persons who have served as jurors in the county within one year
17 immediately preceding; *and*

18 (e) ~~a mother breastfeeding her child. Jury service shall be postponed~~
19 ~~until such mother is no longer breastfeeding the child.~~

20 Sec. 2. K.S.A. 43-159 is hereby amended to read as follows: 43-159.

21 (a) In addition to the persons excused from jury service in K.S.A. 43-158,
22 and amendments thereto, the following persons may be excused from jury
23 service by the court:

24 (a)(1) Persons so physically or mentally infirm as to be unequal to the
25 task of ordinary jury duty;

26 (b)(2) persons whose presence elsewhere is required for the public
27 welfare, health or safety;

28 (c)(3) persons for whom jury service would cause extraordinary or
29 compelling personal hardship; *and*

30 (d)(4) persons whose personal relationship to the parties or whose
31 information or interest in the case to be tried is such that there is a
32 probability such persons would find it difficult to be impartial; *and*

33 (5) *mothers breastfeeding a child if the mother requests deferral.*

34 (b) *The court or jury commissioner shall inquire if a mother who is*
35 *breastfeeding her child requests a deferral of jury service pursuant to*
36 *subsection (a)(5). If such mother requests a deferral, jury service shall be*

1 *postponed for at least one year. If such mother breastfeeding her child*
2 *chooses to serve jury service, the court or jury commissioner shall make*
3 *reasonable accommodations for her during her service.*

4 Sec. 3. K.S.A. 43-158 and 43-159 are hereby repealed.

5 Sec. 4. This act shall take effect and be in force from and after its
6 publication in the statute book.