

ASSEMBLY BILL NO. 49—ASSEMBLYMEN CONKLIN,
GERHARDT AND DENIS

PREFILED FEBRUARY 1, 2007

Referred to Committee on Judiciary

SUMMARY—Revises certain provisions concerning jury service.
(BDR 1-145)

FISCAL NOTE: Effect on Local Government: No.
Effect on the State: No.

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EXPLANATION – Matter in ***bolded italics*** is new; matter between brackets ~~omitted material~~ is material to be omitted.

AN ACT relating to juries; exempting certain persons from jury service; providing that certain primary caregivers may be temporarily excused from jury service; and providing other matters properly relating thereto.

Legislative Counsel's Digest:

1 **Section 1** of this bill revises provisions of existing law which exempt certain
2 persons from jury service by reinstating an exemption from jury service for any
3 police officer which was repealed during the 72nd Session of the Nevada
4 Legislature. (NRS 6.020; Chapter 255, Statutes of Nevada 2003, p. 1347) **Section 3**
5 of this bill provides a prospective expiration date for this exemption of July 1,
6 2011. **Section 2** of this bill authorizes a court to temporarily excuse a juror from
7 jury service if that juror is a primary caregiver of another person who has a
8 documented medical condition which requires the assistance of another person at
9 all times. (NRS 6.030)

THE PEOPLE OF THE STATE OF NEVADA, REPRESENTED IN
SENATE AND ASSEMBLY, DO ENACT AS FOLLOWS:

1 **Section 1.** NRS 6.020 is hereby amended to read as follows:
2 6.020 1. Except as otherwise provided in subsections 2 and 3
3 and NRS 67.050, upon satisfactory proof, made by affidavit or
4 otherwise, the following-named persons, and no others, are exempt
5 from service as grand or trial jurors:
6 (a) While the Legislature is in session, any member of the
7 Legislature or any employee of the Legislature or the Legislative
8 Counsel Bureau; ~~and~~



(b) Any person who has a fictitious address pursuant to NRS 217.462 to 217.471, inclusive ~~H~~; and

(c) Any police officer as defined in NRS 617.135.

2. All persons of the age of 70 years or over are exempt from serving as grand or trial jurors. Whenever it appears to the satisfaction of the court, by affidavit or otherwise, that a juror is over the age of 70 years, the court shall order the juror excused from all service as a grand or trial juror, if the juror so desires.

3. A person who is the age of 65 years or over who lives 65 miles or more from the court is exempt from serving as a grand or trial juror. Whenever it appears to the satisfaction of the court, by affidavit or otherwise, that a juror is the age of 65 years or over and lives 65 miles or more from the court, the court shall order the juror excused from all service as a grand or trial juror, if the juror so desires.

Sec. 2. NRS 6.030 is hereby amended to read as follows:

6.030 1. The court may at any time temporarily excuse any juror on account of:

(a) Sickness or physical disability.

(b) Serious illness or death of a member of his immediate family.

(c) Undue hardship or extreme inconvenience.

(d) Public necessity.

2. In addition to the reasons set forth in subsection 1, the court may at any time temporarily excuse a person who provides proof that he is the primary caregiver of another person who has a documented medical condition which requires the assistance of another person at all times.

3. A person temporarily excused shall appear for jury service as the court may direct.

~~2-1~~ 4. The court shall permanently excuse any person from service as a juror if he is incapable, by reason of a permanent physical or mental disability, of rendering satisfactory service as a juror. The court may require the prospective juror to submit a physician's certificate concerning the nature and extent of the disability and the certifying physician may be required to testify concerning the disability when the court so directs.

Sec. 3. 1. This act becomes effective upon passage and approval.

2. The amendatory provisions of section 1 of this act expire by limitation on July 1, 2011.

