

Amendment No. 430

Assembly Amendment to Assembly Bill No. 49	(BDR 1-145)
Proposed by: Assembly Committee on Judiciary	
Amends: Summary: Yes Title: Yes Preamble: No Joint Sponsorship: No Digest: Yes	

ASSEMBLY ACTION			Initial and Date	SENATE ACTION			Initial and Date		
Adopted	☐	Lost	☐	_____	Adopted	☐	Lost	☐	_____
Concurred In	☐	Not	☐	_____	Concurred In	☐	Not	☐	_____
Receded	☐	Not	☐	_____	Receded	☐	Not	☐	_____

EXPLANATION: Matter in (1) *blue bold italics* is new language in the original bill; (2) *green bold italic underlining* is new language proposed in this amendment; (3) ~~red strikethrough~~ is deleted language in the original bill; (4) ~~purple double strikethrough~~ is language proposed to be deleted in this amendment; (5) orange double underlining is deleted language in the original bill that is proposed to be retained in this amendment; and (6) *green bold* is newly added transitory language.

RBL



Date: 4/15/2007

A.B. No. 49—Exempts certain persons from jury service. (BDR 1-145)



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

PREFILED FEBRUARY 1, 2007

Referred to Committee on Judiciary

SUMMARY—~~[Exempts certain persons from]~~ **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:

~~[This]~~ **Section 1 of this** bill revises provisions of existing law which exempt certain persons from jury service by reinstating ~~[certain exemptions]~~ **an exemption** from jury service **for any police officer** which ~~[were]~~ **was** repealed during the 72nd Session of the Nevada Legislature. (NRS 6.020; Chapter 255, Statutes of Nevada 2003, p. 1347) ~~[Specifically, this bill reinstates exemptions from jury service for: (1) any federal or state officer; (2) any judge, justice of the peace or attorney at law; (3) any county clerk, recorder, assessor, sheriff, deputy sheriff, constable or police officer; and (4) any officer or correctional officer employed by the Department of Corrections. This bill also adds a new exemption]~~ **Section 3 of this bill provides a prospective expiration date for this exemption of July 1, 2011. Section 2 of this bill authorizes a court to temporarily excuse a juror from jury service** ~~[for any other correctional officer.]~~ **if that juror is a primary caregiver of another person who has a documented medical condition which requires the assistance of another person at all times. (NRS 6.030)**

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

Section 1. NRS 6.020 is hereby amended to read as follows:
6.020 1. Except as otherwise provided in subsections 2 and 3 and NRS 67.050, upon satisfactory proof, made by affidavit or otherwise, the following-named persons, and no others, are exempt from service as grand or trial jurors:
(a) While the Legislature is in session, any member of the Legislature or any employee of the Legislature or the Legislative Counsel Bureau; ~~[and]~~
(b) Any person who has a fictitious address pursuant to NRS 217.462 to 217.471, inclusive ~~[; and]~~ **;**
(c) **Any** ~~[federal or state officer]~~

~~(d) Any judge, justice of the peace or attorney at law;~~
~~(e) Any county clerk, recorder, assessor, sheriff, deputy sheriff, constable or police officer;~~

~~(f) Any officer employed by the Department of Corrections; and~~
~~(g) Any correctional officer;~~ 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.~~ 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.

~~4.~~ 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.