

House _____ Amendment NO. _____

Offered By

1 AMEND House Substitute for House Committee Substitute for House Bill Nos. 1108 & 1181, Page
2 39, Section 492.304, Line 42, by inserting after said section and line the following:

3
4 "494.430. 1. Upon timely application to the court, the following persons shall be excused
5 from service as a petit or grand juror:

6 (1) Any person who has served on a state or federal petit or grand jury within the preceding
7 two years;

8 (2) Any nursing mother, upon her request, and with a completed written statement from her
9 physician to the court certifying she is a nursing mother;

10 (3) Any person whose absence from his or her regular place of employment would, in the
11 judgment of the court, tend materially and adversely to affect the public safety, health, welfare or
12 interest;

13 (4) Any person upon whom service as a juror would in the judgment of the court impose an
14 undue or extreme physical or financial hardship;

15 (5) Any person licensed as a health care provider as such term is defined in section 538.205,
16 but only if such person provides a written statement to the court certifying that he or she is actually
17 providing health care services to patients, and that the person's service as a juror would be
18 detrimental to the health of the person's patients;

19 (6) Any employee of a religious institution whose religious obligations or constraints
20 prohibit their serving on a jury. The certification of the employment and obligation or constraint
21 may be provided by the employee's religious supervisor;

22 (7) When requested, any person who is [~~seventy-five~~] seventy years of age or older.

23 2. A judge of the court for which the individual was called to jury service shall make undue
24 or extreme physical or financial hardship determinations. The authority to make these
25 determinations is delegable only to court officials or personnel who are authorized by the laws of
26 this state to function as members of the judiciary.

27 3. A person asking to be excused based on a finding of undue or extreme physical or
28 financial hardship must take all actions necessary to have obtained a ruling on that request by no
29 later than the date on which the individual is scheduled to appear for jury duty.

Action Taken _____ Date _____

1 4. Unless it is apparent to the court that the physical hardship would significantly impair the
2 person's ability to serve as a juror, for purposes of sections 494.400 to 494.460 undue or extreme
3 physical or financial hardship is limited to circumstances in which an individual would:

4 (1) Be required to abandon a person under his or her personal care or supervision due to the
5 impossibility of obtaining an appropriate substitute caregiver during the period of participation in
6 the jury pool or on the jury; or

7 (2) Incur costs that would have a substantial adverse impact on the payment of the
8 individual's necessary daily living expenses or on those for whom he or she provides the principal
9 means of support; or

10 (3) Suffer physical hardship that would result in illness or disease.

11 5. Undue or extreme physical or financial hardship does not exist solely based on the fact
12 that a prospective juror will be required to be absent from his or her place of employment.

13 6. A person asking a judge to grant an excuse based on undue or extreme physical or
14 financial hardship shall provide the judge with documentation as required by the judge, such as, but
15 not limited to, federal and state income tax returns, medical statements from licensed physicians,
16 proof of dependency or guardianship, and similar documents, which the judge finds to clearly
17 support the request to be excused. Failure to provide satisfactory documentation shall result in a
18 denial of the request to be excused. Such documents shall be filed under seal.

19 7. After two years, a person excused from jury service shall become eligible once again for
20 qualification as a juror unless the person was excused from service permanently. A person is
21 excused from jury service permanently only when the deciding judge determines that the underlying
22 grounds for being excused are of a permanent nature."; and

23
24 Further amend said bill, Page 46, Section 558.031, Line 41, by deleting the number "2021." and
25 inserting in lieu thereof the following:

26
27 "~~2021~~ 2023.

28 8. The total amount of credit given shall not exceed the number of days between the date of
29 offense and commencement of sentence."; and

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31 Further amend said bill by amending the title, enacting clause, and intersectional references
32 accordingly.