

House Bill 376 (AS PASSED HOUSE AND SENATE)

By: Representatives Loudermilk of the 14th, Fleming of the 117th, Lunsford of the 110th, Lewis of the 15th, Mills of the 25th, and others

A BILL TO BE ENTITLED

AN ACT

1 To amend Code Section 15-12-1 of the Official Code of Georgia Annotated, relating to
2 exemptions from jury duty, so as to provide exemption for a primary caregiver of a child who
3 is six years of age or younger; to provide an exemption for a primary teacher of children in
4 a home study program; to provide for related matters; to repeal conflicting laws; and for
5 other purposes.

6 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

7 **SECTION 1.**

8 Code Section 15-12-1 of the Official Code of Georgia Annotated, relating to exemptions
9 from jury duty, is amended by striking subsection (a), and inserting in lieu thereof the
10 following:

11 "(a)(1) Any person who shows that he or she will be engaged during his or her term of
12 jury duty in work necessary to the public health, safety, or good order or who shows other
13 good cause why he or she should be exempt from jury duty may be excused by the judge
14 of the court to which he or she has been summoned or by some other person who has
15 been duly appointed by order of the chief judge to excuse jurors. Such a person may
16 exercise such authority only after the establishment by court order of guidelines
17 governing excuses. Any order of appointment shall provide that, except for permanently
18 mentally or physically disabled persons, all excuses shall be deferred to a date and time
19 certain within that term or the next succeeding term or shall be deferred as set forth in the
20 court order.

21 (2) Notwithstanding paragraph (1) of this subsection, any person who is a full-time
22 student at a college, university, vocational school, or other postsecondary school who,
23 during the period of time the student is enrolled and taking classes or exams, requests to
24 be excused or deferred from jury duty shall be excused or deferred from jury duty.

25 (3) Notwithstanding paragraph (1) of this subsection, any person who is the primary
26 caregiver having active care and custody of a child ~~under four~~ six years of age or
27 younger, who executes an affidavit on a form provided by the court stating that such

1 person is the primary caregiver having active care and custody of a child ~~under four~~ six
2 years of age or younger and stating that such person has no reasonably available
3 alternative child care, and who requests to be excused or deferred shall be excused or
4 deferred from jury duty. It shall be the duty of the court to provide affidavits for the
5 purpose of this ~~subsection~~ paragraph and paragraph (4).

6 (4) Notwithstanding paragraph (1) of this subsection, any person who is a primary
7 teacher in a home study program as defined in subsection (c) of Code Section 20-2-690
8 who, during the period of time the person is teaching, requests to be excused or deferred
9 from jury duty and executes an affidavit on a form provided by the court stating that such
10 person is the primary teacher in a home study program and stating that such person has
11 no reasonably available alternative for the child or children in the home study program
12 shall be excused or deferred from jury duty."

13

SECTION 2.

14 All laws and parts of laws in conflict with this Act are repealed.