

2009 Regular Legislative Session
FISCAL ANALYSIS OF PROPOSED LEGISLATION
Prepared by the Oregon Legislative Fiscal Office

MEASURE NUMBER: HB 3171

STATUS: A Engrossed

SUBJECT: Provides that a judge or clerk of court may not defer jury service for person more than once except for good cause. Prohibits an employer from requiring an employee to use vacation, sick or annual leave for time spent responding to a summons for jury duty.

GOVERNMENT UNIT AFFECTED: Oregon Judicial Department

PREPARED BY: Kim To

REVIEWED BY: John Borden

DATE: April 24, 2009

	<u>2009-2011</u>	<u>2011-2013</u>
EXPENDITURES: See Analysis		

EFFECTIVE DATE: January 1, 2010

LOCAL GOVERNMENT MANDATE: This bill does not affect local governments' service levels or shared revenues sufficient to trigger Section 15, Article XI of the Oregon Constitution.

ANALYSIS: This measure stipulates that a judge or clerk of court may not allow a person summoned to serve as a juror for a particular jury service term to defer jury service, more than once, to any other term beginning within one year after the end of the term for which the person was summoned. A judge or clerk may allow more than one deferral of jury duty only for good cause. A person requesting a deferral must provide a list of not less than 10 dates within the six-month period following the date of the request on which the person would be able to commence jury duty. The bill also prohibits an employer from requiring an employee to use vacation, sick or annual leave for time spent responding to a summons for jury duty. The bill requires an employer to allow an employee to take leave without pay for time spent responding to a summons for jury duty.

The Oregon Judicial Department (OJD) states that passage of this bill will have an indeterminate fiscal impact to the Department. Currently, the Judicial Department's jury management system permits the court to track by person whether the person has a prior deferral. However, the current system does not distinguish between a deferral from one term to another and deferral within a term. This bill could increase the workload for jury coordinators in some courts who may have to do additional work to determine whether the court may or may not grant a second deferral.

In addition, OJD believes that requiring individuals requesting a deferral to provide a list of dates within the six-month period following the date of the request on which the individual would be able to commence jury duty could result in increase enforcement actions.