

# Enrolled House Bill 3034

Sponsored by Representatives OLSON, SCHAUFLER

CHAPTER .....

AN ACT

Relating to jury service; creating new provisions; and amending ORS 10.055 and 10.090.

**Be It Enacted by the People of the State of Oregon:**

**SECTION 1.** ORS 10.055 is amended to read:

10.055. (1) A judge of the court or clerk of court may allow, for good cause shown, a person summoned to serve as a juror for a particular jury service term to defer jury service to any other term beginning within one year after the end of the term for which the person was summoned. **Except as provided in this section, a judge or clerk may not allow more than one deferral to a person under this section.** The name of a person allowed to defer jury service shall be included with the names of persons to be summoned as jurors for the subsequent term to which jury service is deferred.

**(2) A judge or clerk may allow more than one deferral of jury duty under this section only for good cause. A person requesting a deferral under this subsection 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.**

**SECTION 2.** The amendments to ORS 10.055 by section 1 of this 2011 Act apply to all requests for deferral of jury service made on or after the effective date of this 2011 Act.

**SECTION 3.** ORS 10.090 is amended to read:

10.090. (1) An employer shall not discharge or threaten to discharge, intimidate, or coerce any employee by reason of the employee's service or scheduled service as a juror on a grand jury, trial jury or jury of inquest.

**(2) An employer may not require that an employee use vacation leave, sick leave or annual leave for time spent by the employee in responding to a summons for jury duty, and the employer shall allow the employee to take leave without pay for time spent by the employee in responding to a summons for jury duty.**

[2] (3) This section shall not be construed to alter or affect an employer's policies or agreements with employees concerning employees' wages during times when an employee serves or is scheduled to serve as a juror.

[3] (4) When summoning jurors, the person whose duty it is under the law to summon shall notify each juror of the juror's rights under this section.

[4] (5) Upon complaint filed by a prospective juror or a juror who has served or upon petition of the district attorney, the circuit court shall have jurisdiction to prevent and restrain violations of this section by issuing appropriate orders, including but not limited to, reinstatement of an employee discharged by reason of service as a juror, with back pay for the time the employee was discharged.

**SECTION 4. The amendments to ORS 10.090 by section 3 of this 2011 Act apply only to leave taken by employees in response to a summons for jury service issued on or after the effective date of this 2011 Act.**

**Passed by House May 4, 2011**

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Ramona Kenady Line, Chief Clerk of House

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Bruce Hanna, Speaker of House

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Arnie Roblan, Speaker of House

**Passed by Senate May 26, 2011**

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Peter Courtney, President of Senate

**Received by Governor:**

.....M,....., 2011

**Approved:**

.....M,....., 2011

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John Kitzhaber, Governor

**Filed in Office of Secretary of State:**

.....M,....., 2011

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Kate Brown, Secretary of State