

HCS SB 297 -- COURT PROCEEDINGS

SPONSOR: White

COMMITTEE ACTION: Voted "Do Pass with HCS" by the Special Committee on Criminal Justice by a vote of 6 to 0. Voted "Do Pass" by the Standing Committee on Rules- Administrative Oversight by a vote of 9 to 0.

This bill allows a person 75 years of age or older to apply to the court to opt out of serving on a grand or petit jury.

Additionally, the bill reduces the maximum probation to which a person can be sentenced for a misdemeanor or municipal ordinance violation from two years to 18 months. Currently, a person is allowed to receive a suspended imposition of sentence for a first offense of DWI if the person is placed on a minimum of 2 years probation. This bill reduces the probation to 18 months.

The bill prohibits a person sentenced to serve probation with a private entity providing probation services from being required to submit to drug or alcohol testing unless the person is on probation as a result of a drug or alcohol related offense or unless ordered by a judge for good cause shown.

This bill prohibits a judge from sentencing a person to death in cases where the jury is hung.

PROPOSERS: Supporters say that this is not a mandatory removal from the jury service pool; rather, it allows individuals who are 75 years of age or older to be excused. Many individuals that age have a difficult time with getting around because of transportation requiring the use of a taxi or bus service for travel to and from jury service. The courts are conscious not to hit the jury pool significantly, but many of these people have ongoing conditions that make it difficult to serve and trust that the people looking to be excused will not lie about their situation.

Testifying for the bill was Senator White.