

STATE OF OKLAHOMA

2nd Session of the 49th Legislature (2004)

COMMITTEE SUBSTITUTE  
FOR ENGROSSED  
HOUSE BILL 2102

By: Carey, Piatt, Calvey,  
McClain, McIntyre, Liotta  
and Nance of the House

and

Riley and Lawler of the  
Senate

COMMITTEE SUBSTITUTE

An Act relating to public health and safety and jurors; stating Legislative declaration; allowing breast-feeding in specified locations; providing that certain act shall not constitute a violation of specified statutes; amending 38 O.S. 2001, Section 28, which relates to qualifications for jury service; adding exemption for certain mothers; providing for codification; and declaring an emergency.

BE IT ENACTED BY THE PEOPLE OF THE STATE OF OKLAHOMA:

SECTION 1. NEW LAW A new section of law to be codified in the Oklahoma Statutes as Section 1-234.1 of Title 63, unless there is created a duplication in numbering, reads as follows:

The Legislature hereby declares that breast-feeding a baby constitutes a basic act of nurturing to which every baby has a right and which should be encouraged in the interests of maternal and child health. In furtherance of this right, a mother may breast-feed her baby in any location where the mother is otherwise authorized to be. Breast-feeding shall not constitute a violation of any provision of Title 21 of the Oklahoma Statutes.

SECTION 2. AMENDATORY 38 O.S. 2001, Section 28, is amended to read as follows:

Section 28. A. All citizens of the United States, residing in this state, having the qualifications of electors of this state, who are of sound mind and discretion and of good moral character are competent jurors to serve on all grand and petit juries within their counties; provided, that persons over seventy (70) years of age and persons who have served as a grand or petit juror during the last two (2) immediately preceding calendar years shall not be compelled to serve as jurors in this state and the court may excuse or discharge any juror drawn and summoned as a grand or petit juror if jury service would result in substantial hardship to the prospective juror.

B. Persons who are not qualified to serve as jurors are:

1. Justices of the Supreme Court or the Court of Civil Appeals;
2. Judges of the Court of Criminal Appeals or the district court;
3. Sheriffs or deputy sheriffs;
4. Jailers or law enforcement officers, state or federal, having custody of prisoners;
5. Licensed attorneys engaged in the practice of law;
6. Persons who have been convicted of any felony or who have served a term of imprisonment in any penitentiary, state or federal, for the commission of a felony; provided, any such citizen convicted, who has been fully restored to his or her civil rights, shall be eligible to serve as a juror; and
7. Legislators during a session of the Legislature or when involved in state business.

C. 1. Mothers who are breast-feeding a baby or who are unemployed and have custody of a child who is not enrolled full-time in an early childhood education program, upon their request, shall be exempt from service as jurors.

2. As used in this subsection, "early childhood education program" means a prekindergarten program for children.

SECTION 3. It being immediately necessary for the preservation of the public peace, health and safety, an emergency is hereby declared to exist, by reason whereof this act shall take effect and be in full force from and after its passage and approval.

49-2-3094

CJ

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