

1 THE STATE SENATE
2 Tuesday, March 30, 2004

3 Committee Substitute for
4 ENGROSSED
5 House Bill No. 2102

6 COMMITTEE SUBSTITUTE FOR ENGROSSED HOUSE BILL NO. 2102 - By: CAREY,
7 PIATT, CALVEY, McCLAIN, McINTYRE, LIOTTA and NANCE of the House and
8 RILEY, LAWLER, FAIR and WILLIAMS of the Senate.

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

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

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

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

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

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

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

15 1. Justices of the Supreme Court or the Court of Civil Appeals;

16 2. Judges of the Court of Criminal Appeals or the district
17 court;

18 3. Sheriffs or deputy sheriffs;

19 4. Jailers or law enforcement officers, state or federal,
20 having custody of prisoners;

21 5. Licensed attorneys engaged in the practice of law;

22 6. Persons who have been convicted of any felony or who have
23 served a term of imprisonment in any penitentiary, state or federal,

1 for the commission of a felony; provided, any such citizen
2 convicted, who has been fully restored to his or her civil rights,
3 shall be eligible to serve as a juror; and

4 7. Legislators during a session of the Legislature or when
5 involved in state business.

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

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

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

16 COMMITTEE REPORT BY: COMMITTEE ON HUMAN RESOURCES, dated 3-25-04 -
17 DO PASS, As Amended and Coauthored.