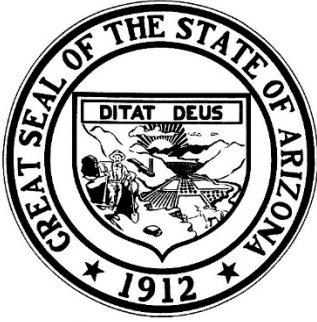




Bill Number: S.B. 1063

Finchem Floor Amendment

Reference to: JUDICIARY AND
ELECTIONS Committee amendment

Amendment drafted by: Leg Council

FLOOR AMENDMENT EXPLANATION

1. Specifies that qualified jurors who choose to serve as temporary election workers must serve as election workers for both the upcoming primary and general elections.
2. Specifies that prospective jurors may be excused from jury service if they served as an election board inspector, marshal, judge or clerk in an election within 180 days immediately preceding the jury summons.
3. Requires the county officer in charge of elections, after receiving the names and contact information of prospective jurors, to determine whether those persons are:
 - a) qualified to serve as election board workers;
 - b) ineligible to serve as otherwise provided by law; or
 - c) unwilling to serve at the location or in the position designated by the officer in charge of elections.
4. Requires the county officer in charge of elections, after making the above determinations, to appoint those persons as temporary election board workers.
5. Specifies that prospective temporary election board workers may receive all, or some, of their required training through web-based training modules, at the discretion of the county officer in charge of elections.
6. Requires the county officer in charge of elections, after the election and confirmation that a temporary election board worker completed their service in that role, to notify the jury commissioner of that fact.
7. Makes technical and conforming changes.

FINCHEM FLOOR AMENDMENT
SENATE AMENDMENTS TO S.B. 1063
(Reference to JUDICIARY AND ELECTIONS Committee amendment)

Amendment instruction key:

[GREEN UPPERCASE UNDERLINING IN BRACKETS] indicates that the amendment is adding text to statute

or previously enacted session law.

[Green lowercase underlining in brackets] indicates that the amendment is adding text to new session law or is restoring previously stricken text to existing statute.

~~[GREEN UPPERCASE STRIKEOUT IN BRACKETS]~~ indicates that the amendment is removing new text from statute or previously enacted session law.

~~[Green lowercase strikeout in brackets]~~ indicates that the amendment is removing text from existing statute, previously enacted session law or new session law.

<<Double green carets enclosing an entire section>> indicates that the amendment is adding the section to the bill.

~~<<Green strikeout with double green carets enclosing an entire section>>~~ indicates that the amendment is removing the section to the bill.

{{ORANGE UPPERCASE UNDERLINING IN DOUBLE CURLY BRACKETS}} indicates that the amendment to an amendment is adding text to statute or previously enacted session law.

{{Orange lowercase underlining in double curly brackets}} indicates that the amendment to an amendment is adding text to new session law or is restoring previously stricken text to existing statute.

{{~~ORANGE UPPERCASE STRIKEOUT IN DOUBLE CURLY BRACKETS~~}} indicates that the amendment to an amendment is removing new text from statute or previously enacted session law.

{{~~Orange lowercase strikeout in double curly brackets~~}} indicates that the amendment to an amendment is removing text from existing statute, previously enacted session law or new session law.

≤≤Double orange underlined carets enclosing an entire section≥≥ indicate that the amendment to an amendment is adding the section to the bill.

~~≤≤Orange strikeout with double orange underlined carets enclosing an entire section≥≥~~ indicates that the amendment to an amendment is removing the section from the bill.

1 The bill as proposed to be amended is reprinted as follows:

2 ≤≤Section 1. Title 16, chapter 4, article 7, Arizona Revised
3 Statutes, is amended by adding section 16-531.01, to read:

4 16-531.01. Prospective jurors; temporary election board
5 workers; procedures

6 {{A. AFTER RECEIVING THE NAMES AND CONTACT INFORMATION OF
7 PROSPECTIVE JURORS FROM A JURY COMMISSIONER PURSUANT TO SECTION 21-331.
8 SUBSECTION E. THE COUNTY OFFICER IN CHARGE OF ELECTIONS SHALL DETERMINE
9 WHETHER THOSE PERSONS ARE QUALIFIED TO SERVE AS ELECTION BOARD WORKERS,
10 INELIGIBLE TO SERVE AS OTHERWISE PROVIDED BY LAW OR UNWILLING TO SERVE AT
11 THE LOCATION OR IN THE POSITION DESIGNATED BY THE OFFICER IN CHARGE OF
12 ELECTIONS. AFTER THAT DETERMINATION, THE COUNTY OFFICER IN CHARGE OF
13 ELECTIONS MAY APPOINT THOSE PERSONS AS TEMPORARY ELECTION BOARD WORKERS.

14 B. AT THE DISCRETION OF THE COUNTY OFFICER IN CHARGE OF ELECTIONS,
15 THE PROSPECTIVE TEMPORARY ELECTION BOARD WORKERS MAY RECEIVE ALL OR SOME
16 OF THEIR REQUIRED ELECTION TRAINING BY WEB-BASED TRAINING MODULES OR OTHER
17 SIMILAR ELECTRONIC MEANS.

1 C. ON COMPLETION OF THE ELECTION AND CONFIRMATION THAT A TEMPORARY
2 ELECTION BOARD WORKER COMPLETED THE BOARD WORKER'S SERVICE IN THAT ROLE.
3 THE COUNTY OFFICER IN CHARGE OF ELECTIONS SHALL NOTIFY THE JURY
4 COMMISSIONER THAT THE TEMPORARY ELECTION BOARD WORKER'S DUTIES WERE
5 COMPLETED.}}>>

6 <<Sec. 2. Section 21-202, Arizona Revised Statutes, is amended to
7 read:

8 21-202. Persons entitled to be excused from jury service

9 A. It is the policy of this state that all qualified citizens have
10 an obligation to serve on juries when summoned by the courts of this
11 state, unless excused.

12 B. On timely application to the court, the following persons shall
13 be excused temporarily from service as a juror if the judge or jury
14 commissioner finds that any of the following applies:

15 1. The prospective juror has a mental or physical condition that
16 causes the juror to be incapable of performing jury service. The juror or
17 the juror's personal representative shall provide to the court or jury
18 commissioner a medical statement from a physician who is licensed pursuant
19 to title 32, a physician assistant who is licensed pursuant to title 32,
20 chapter 25 or a registered nurse practitioner who is licensed pursuant to
21 title 32, chapter 15 that explains an existing mental or physical
22 condition that renders the person unfit for jury service. If a
23 prospective juror does not have a physician, a physician assistant or a
24 registered nurse practitioner, the prospective juror or the juror's
25 personal representative shall provide a sworn statement from a
26 professional caregiver for the prospective juror that is deemed acceptable
27 by the court or jury commissioner and that explains the mental or physical
28 condition that renders the prospective juror incapable of performing jury
29 service. For the purposes of this paragraph:

30 (a) The statement shall be in writing and shall contain a
31 description and duration of any mobility restrictions, the specific
32 symptoms that make the prospective juror mentally or physically unfit for
33 jury service and their duration, the employment status of the prospective
34 juror and the printed name, signature, professional license number if
35 applicable, area of specialty and contact information of the authorizing
36 physician, physician assistant, registered nurse practitioner or
37 professional caregiver.

38 (b) A form that complies with this paragraph shall be made
39 available at courthouses, the Arizona medical board website, the Arizona
40 regulatory board of physician assistants website, the Arizona board of
41 osteopathic examiners in medicine and surgery website, the Arizona state
42 board of nursing website and other appropriate locations that are
43 identified by the court or jury commissioner.

44 (c) These documents are not public records and shall not be
45 disclosed to the general public.

1 2. Jury service by the prospective juror would substantially and
2 materially affect the public interest or welfare in an adverse manner.

3 3. The prospective juror is not currently capable of understanding
4 the English language.

5 4. Jury service would cause undue or extreme physical or financial
6 hardship to the prospective juror or a person under the prospective
7 juror's care or supervision. For the purposes of this paragraph:

8 (a) A judge or jury commissioner of the court for which the person
9 was called to jury service shall determine whether jury service would
10 cause the prospective juror undue or extreme physical or financial
11 hardship.

12 (b) A person who requests to be excused under this paragraph shall
13 take all actions necessary to obtain a ruling on the request before the
14 date on which the person is scheduled to appear for jury duty.

15 (c) Undue or extreme physical or financial hardship is limited to
16 the following circumstances in which a person:

17 (i) Would be required to abandon a person under the prospective
18 juror's care or supervision due to the impossibility of obtaining an
19 appropriate substitute caregiver during the period of participation in the
20 jury pool or on the jury.

21 (ii) Would incur costs that would have a substantial adverse impact
22 on the payment of the person's necessary daily living expenses or on those
23 for whom the prospective juror provides regular employment or the
24 principal means of support.

25 (iii) Would suffer physical hardship that would result in illness
26 or disease.

27 (d) Undue or extreme physical or financial hardship does not exist
28 solely based on the fact that a prospective juror will be required to be
29 absent from the prospective juror's place of employment.

30 (e) A person who requests to be excused under this paragraph shall
31 provide the judge or jury commissioner with documentation that supports
32 the request to be excused, such as federal and state income tax returns,
33 payroll records, medical statements from physicians licensed pursuant to
34 title 32, physician assistants licensed pursuant to title 32, chapter 25
35 or registered nurse practitioners licensed pursuant to title 32, chapter
36 15, proof of dependency or guardianship or other similar documents. The
37 judge or jury commissioner may excuse a person if the documentation
38 clearly supports the request to be excused. These documents are not
39 public records and shall not be disclosed to the general public.

40 5. The prospective juror is a peace officer who is certified by the
41 Arizona peace officer standards and training board and who is employed as
42 a peace officer by this state or any political subdivision of this
43 state. The employer of a peace officer shall not in any way influence the
44 peace officer to make or not to make an application to the court, pursuant
45 to this section, to be excused from jury service.

1 6. A judge or jury commissioner of the court for which the person
2 was called to jury service excuses the prospective juror for good cause
3 based on a showing of undue or extreme hardship under the circumstances,
4 including being temporarily absent from the jurisdiction or a lack of
5 transportation.

6 7. The prospective juror is summoned within four years after the
7 prospective juror's last day of service on a grand jury in this state.
8 This paragraph does not apply to a person selected as an alternate grand
9 juror.

10 8. The prospective juror is employed in the correctional officer
11 class series by the state department of corrections.

12 {{9. THE PROSPECTIVE JUROR PROVIDES PROOF FROM THE COUNTY THAT
13 EMPLOYED THE PROSPECTIVE JUROR THAT THE PROSPECTIVE JUROR SERVED AS AN
14 ELECTION BOARD WORKER AS AN INSPECTOR, MARSHAL, JUDGE OR CLERK PURSUANT TO
15 SECTION 16-531 WITHIN ONE HUNDRED EIGHTY DAYS IMMEDIATELY PRECEDING
16 RECEIPT OF THE JURY SUMMONS.}}

17 C. Notwithstanding subsection B of this section, a prospective
18 juror who is at least seventy-five years of age may submit a written
19 statement to the court requesting that the person be excused from
20 service. The prospective juror may request to be excused temporarily or
21 permanently. On receipt of the request, the judge or jury commissioner
22 shall excuse the prospective juror from service.

23 D. A person who is excused temporarily pursuant to this section
24 becomes eligible for qualification as a juror when the temporary excuse
25 expires unless the person is permanently excused from jury service.

26 E. A person may be permanently excused only if the deciding judge
27 or jury commissioner determines that the underlying grounds for being
28 excused are permanent in nature or the person is permanently excused under
29 subsection C of this section.

30 F. If the judge, jury commissioner or jury manager permanently
31 excuses the person from jury service, the person shall be notified that
32 the person is permanently excused.>>

33 Sec. 3. Section 21-331, Arizona Revised Statutes, is amended to
34 read:

35 21-331. Procedure for summoning jurors

36 A. The jury commissioner or jury manager shall use either of the
37 following methods for summoning persons for a particular juror pool:

38 1. The court shall order the jury commissioner or jury manager to
39 summon a specific number of qualified jurors, at random, for either a
40 trial jury or grand jury panel.

41 2. The jury commissioner or jury manager shall determine a specific
42 number of persons to be summoned for a court location and date.

43 B. In counties in which multiple superior court locations exist, a
44 juror shall not be summoned to more than one court location on the same
45 date and is not required to serve in more than one court location on any
46 specific date.

1 C. The summons shall be delivered by giving personal notice to
2 each person, or by leaving a written notice to that effect at the person's
3 place of residence, with some person of proper age and discretion, by
4 telephone or by mailing such notice by first class mail, registered mail
5 or certified mail.

6 D. Any person who fails to appear in response to a notice sent by
7 first class mail shall be immediately resummoned by a notice sent by first
8 class mail, registered mail or certified mail and shall not be subject to
9 a body attachment or fine as provided in section ~~21-334~~ 21-223 unless the
10 juror fails to appear in response to this second summons. Notwithstanding
11 section 21-301, subsection C, for any juror whose mail is returned as
12 undeliverable, the jury commissioner or jury manager shall notify the
13 county recorder who shall send a follow-up notice to the juror pursuant to
14 section 16-166, subsection A, including information regarding possible
15 removal from the voter registration rolls, and on completion of the
16 notification process pursuant to section 16-166, the county recorder shall
17 transfer the juror to the inactive voter list.

18 E. NOTWITHSTANDING ANY OTHER LAW, DURING THE ~~[THIRTY-DAY]~~ PERIOD
19 ~~[FROM ONE HUNDRED TWENTY DAYS TO NINETY DAYS]~~ IMMEDIATELY PRECEDING THE
20 DATE OF THE REGULAR ~~{{GENERAL}}~~~~{{PRIMARY}}~~ ELECTION ~~[AND UNTIL THE LAST~~
21 ~~BALLOT HAS BEEN COUNTED]~~, THE JURY COMMISSIONER MAY GIVE A QUALIFIED JUROR
22 THE OPTION TO SERVE AS A TEMPORARY ELECTION WORKER IN THE APPROPRIATE
23 COUNTY ~~{{FOR THE UPCOMING PRIMARY AND GENERAL ELECTIONS}}~~ INSTEAD OF
24 FULFILLING A JURY SERVICE OBLIGATION~~{{_}}~~{{AS FOLLOWS:~~~~

25 ~~1.}}~~ ~~NOT LATER THAN NINETY DAYS BEFORE THE GENERAL ELECTION, THE~~
26 ~~JURY COMMISSIONER SHALL SUBMIT THE NAMES AND CONTACT INFORMATION OF THE~~
27 ~~PROSPECTIVE~~ ~~{{TEMPORARY ELECTION WORKERS TO THE COUNTY CHAIRPERSONS OF THE~~
28 ~~POLITICAL PARTIES.~~

29 ~~2. WITHIN TEN DAYS AFTER RECEIVING THE NAMES AND CONTACT~~
30 ~~INFORMATION OF THE PROSPECTIVE TEMPORARY ELECTION WORKERS, THE COUNTY~~
31 ~~PARTY CHAIRPERSONS MAY STRIKE THE NAME OF ANY PERSON ON THE PROSPECTIVE~~
32 ~~TEMPORARY ELECTION WORKER LIST.~~

33 ~~3. THE PROSPECTIVE TEMPORARY ELECTION WORKERS MAY RECEIVE ALL OF~~
34 ~~THEIR REQUIRED ELECTION TRAINING BY WEB-BASED TRAINING MODULES OR OTHER~~
35 ~~SIMILAR ELECTRONIC MEANS.~~

36 ~~4. FROM THE NAMES PROVIDED AS PRESCRIBED BY PARAGRAPH 1 OF THIS~~
37 ~~SUBSECTION, THE COUNTY CHAIRPERSONS OF THE POLITICAL PARTIES MAY APPOINT~~
38 ~~JUDGES TO SERVE ON ELECTION BOARDS. THE COUNTY RECORDER OR OTHER COUNTY~~
39 ~~OFFICER IN CHARGE OF ELECTIONS SHALL ACCEPT THE PERSONS WHO ARE APPOINTED~~
40 ~~AS JUDGES UNLESS THEY ARE INELIGIBLE AS OTHERWISE PROVIDED BY~~
41 ~~LAW}}~~ ~~{{JURORS WHO EXPRESS INTEREST IN FULFILLING THEIR JURY SERVICE~~
42 ~~OBLIGATION BY SERVING AS A TEMPORARY ELECTION WORKER TO THE COUNTY OFFICER~~
43 ~~IN CHARGE OF ELECTIONS. THE COUNTY OFFICER IN CHARGE OF ELECTIONS SHALL~~
44 ~~PROCESS THOSE NAMES AS PRESCRIBED BY SECTION 16-531.01 AND INFORM THE JURY~~
45 ~~COMMISSIONER OF THE NAMES OF PROSPECTIVE JURORS WHO INTEND TO FULFILL~~
46 ~~THEIR JURY SERVICE OBLIGATION BY SERVING AS TEMPORARY ELECTION WORKERS}}.~~

1 <<Sec. 4. Section 21-332, Arizona Revised Statutes, is amended to
2 read:

3 21-332. Jurors' term of service; exemption

4 A. A person's jury service obligation is fulfilled when the person
5 does any of the following:

6 1. Serves on one trial until being excused or discharged.

7 2. Appears at court but is not assigned to a trial division for
8 selection of a jury before the end of that day.

9 3. Is assigned on one day to one or more trial divisions for jury
10 selection and serves through the completion of jury selection or is
11 excused.

12 4. Complies with a request to telephone a court or check a court's
13 ~~{{web site}}~~ {{WEBSITE}} to determine whether to report on a particular
14 day, for four days within a ~~{{thirty day}}~~ {{THIRTY-DAY}} period.

15 5. Provides the court with a valid telephone number and stands
16 ready to serve on the same day, for a period of two days.

17 {{6. SERVES AS A TEMPORARY ELECTION BOARD WORKER PURSUANT TO
18 SECTION 16-531.01.}}

19 B. A presiding judge of a county superior court, in coordination
20 with the jury commissioner, may apply to the supreme court for an
21 exemption for the county from this section for a specified period of time,
22 not to exceed one year.>>

23

24 Enroll and engross to conform

25 Amend title to conform

MARK FINCHEM

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02/25/2025

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C: MR