

First Regular Session
Seventy-fourth General Assembly
STATE OF COLORADO

REREVISED

*This Version Includes All Amendments
Adopted in the Second House*

LLS NO. 23-1014.01 Amber Paoloemilio x5497

SENATE BILL 23-282

SENATE SPONSORSHIP

Gardner and Gonzales,

HOUSE SPONSORSHIP

Weissman and Soper,

Senate Committees
Judiciary

House Committees
Judiciary

HOUSE
3rd Reading Unamended
May 7, 2023

HOUSE
Amended 2nd Reading
May 6, 2023

A BILL FOR AN ACT

101 **CONCERNING THE CREATION OF "JURY APPRECIATION DAY".**

Bill Summary

(Note: This summary applies to this bill as introduced and does not reflect any amendments that may be subsequently adopted. If this bill passes third reading in the house of introduction, a bill summary that applies to the reengrossed version of this bill will be available at <http://leg.colorado.gov>.)

The bill establishes an annual jury appreciation day on September 5 of each year.

SENATE
3rd Reading Unamended
April 24, 2023

1 *Be it enacted by the General Assembly of the State of Colorado:*

2 **SECTION 1. Legislative declaration.** (1) The general assembly

SENATE
2nd Reading Unamended
April 21, 2023

Shading denotes HOUSE amendment. Double underlining denotes SENATE amendment.
Capital letters or bold & italic numbers indicate new material to be added to existing law.
Dashes through the words or numbers indicate deletions from existing law.

1 finds and declares that:

2 (a) The jury system is a cornerstone of Colorado's form of
3 government and is therefore a matter of statewide concern;

4 (b) The jury service system is important to democracy because of
5 the unbiased, impartial viewpoints that can be derived from our citizens
6 who are selected from a wide cross-section of society;

7 (c) Serving on a jury promotes civic participation, as it is the most
8 direct and impactful way for citizens to participate in and connect to the
9 state's system of government;

10 (d) Jury service is a civic duty, and jurors make important
11 sacrifices regarding personal time, family, and professional life to devote
12 the necessary time to serve as jurors;

13 (e) Jury service is important, and it benefits all residents of the
14 state;

15 (f) Our country's founders included the right to be tried by a jury
16 of our peers, a safeguard against tyranny, in the Bill of Rights;

17 (g) The first jury trial in the American colonies was held in
18 Plymouth, Massachusetts, in 1630; and

19 (h) September fifth commemorates a 1670 jury trial in which a
20 jury acquitted William Penn, who was facing the death penalty after
21 preaching to Quakers, a banned religion in England at the time. The jury
22 reached their verdict despite intimidation and imprisonment by the
23 English trial court, and the jury's independence and integrity were upheld
24 by an appellate court.

25 (2) The general assembly further finds and declares that:

26 (a) A trial by a jury of one's peers in both civil and criminal cases
27 has historically been part of the American legal system's promise of

1 impartial justice, but in Colorado's history, not all citizens have been able
2 equally to serve on juries due to race, ethnicity, or gender;

3 (b) Racial disparities in jury pools have given some Americans
4 reason to fear the outcomes of jury trials; and

5 (c) Although access to jury service is more equitable than in our
6 past, concerns remain in the present day about neutral application of
7 common law or statutory law concerning the exclusion of certain
8 potential jurors from juries.

9 **SECTION 2.** In Colorado Revised Statutes, **add 24-11-115** as
10 follows:

11 **24-11-115. Juror Appreciation Day.** (1) THE FIFTH DAY OF
12 SEPTEMBER IN EACH YEAR, THE SAME BEING THE ANNIVERSARY OF ONE OF
13 THE MOST FAMOUS JURY VERDICTS IN UNITED STATES HISTORY, IS KNOWN
14 AS "JURY APPRECIATION DAY". APPROPRIATE OBSERVANCE BY SUITABLE
15 MEANS MAY BE HELD BY THE PUBLIC, BY ALL JURY COMMISSIONERS, AND
16 IN ALL PUBLIC SCHOOLS OF THE STATE TO RECOGNIZE THE IMPORTANCE OF
17 JURY SERVICE TO THE COMMUNITY, THE IMPORTANCE OF JURY TRIALS TO
18 THE STATE, AND THE GREAT CONTRIBUTION JURY TRIALS MAKE TO THE
19 CAUSE OF FREEDOM. ALL EFFORTS AND UNDERTAKINGS IN CELEBRATING
20 JURY APPRECIATION DAY MUST BE IN HARMONY WITH THE GENERAL
21 CHARACTER OF THE DAY SO ESTABLISHED.

22 (2) ANNUALLY, THE GOVERNOR SHALL ISSUE A PROCLAMATION
23 CALLING FOR THE RECOGNITION OF JURY APPRECIATION DAY.

24 (3) ON JURY APPRECIATION DAY, EACH STATE AGENCY SHALL
25 REMAIN STAFFED AT A MINIMUM LEVEL TO CONDUCT THE USUAL
26 OPERATIONS OF THE AGENCY.

27 (4) A HOLIDAY ALLOWED PURSUANT TO THIS SECTION IS IN LIEU OF

1 A LEGAL HOLIDAY DESCRIBED IN SECTION 24-11-101 (1). THE TOTAL
2 NUMBER OF LEGAL HOLIDAYS IN A STATE FISCAL YEAR AVAILABLE TO AN
3 EMPLOYEE OF A STATE AGENCY IS NOT CHANGED BY THIS SECTION.

4 **SECTION 3. Act subject to petition - effective date.** This act
5 takes effect at 12:01 a.m. on the day following the expiration of the
6 ninety-day period after final adjournment of the general assembly; except
7 that, if a referendum petition is filed pursuant to section 1 (3) of article
8 V of the state constitution against this act or an item, section, or part of
9 this act within such period, then the act, item, section, or part will not
10 take effect unless approved by the people at the general election to be
11 held in November 2024 and, in such case, will take effect on the date of
12 the official declaration of the vote thereon by the governor.