

**First Regular Session
Seventy-fifth General Assembly
STATE OF COLORADO**

INTRODUCED

LLS NO. 25-0558.01 Jacob Baus x2173

HOUSE BILL 25-1065

HOUSE SPONSORSHIP

Barron, Brooks, Camacho, Phillips

SENATE SPONSORSHIP

Frizell,

House Committees

State, Civic, Military, & Veterans Affairs

Senate Committees

A BILL FOR AN ACT

101 **CONCERNING AN OPT-OUT FROM JURY SERVICE FOR CERTAIN PEOPLE.**

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 allows a person who is 70 years of age or older to choose to temporarily or permanently opt out of jury service.

The bill allows a person who is out of the state because they are actively enrolled full-time at an out-of-state institution of higher education or because they are working for an extended period of time out of the state to choose to temporarily opt out of jury service.

The judge or jury commissioner may require documentation in support of the opt-out of jury service.

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

2 **SECTION 1.** In Colorado Revised Statutes, 13-71-119.5, **add**
3 (2.7) and (2.8) as follows:

4 **13-71-119.5. Persons entitled to be excused from or to opt out**
5 **of jury service - temporary or permanent.** (2.7) (a) (I) A JUDGE OR
6 JURY COMMISSIONER OF THE COURT TO WHICH A PERSON IS SUMMONED
7 FOR JURY SERVICE SHALL ALLOW A PERSON WHO IS SEVENTY YEARS OF
8 AGE OR OLDER, AS OF THE BEGINNING DATE OF JURY SERVICE STATED ON
9 THE JUROR SUMMONS, TO TEMPORARILY OPT OUT OF JURY SERVICE IF THE
10 PERSON REQUESTS TO TEMPORARILY OPT OUT OF JURY SERVICE.

11 (II) A PERSON WHO TEMPORARILY OPTS OUT PURSUANT TO THIS
12 SUBSECTION (2.7)(a) IS ELIGIBLE FOR JUROR QUALIFICATION WHEN THE
13 TEMPORARY OPT-OUT EXPIRES, AS DETERMINED BY THE COURT.

14 (b) NOTWITHSTANDING SUBSECTION (2.7)(a) OF THIS SECTION, A
15 JUDGE OR JURY COMMISSIONER OF THE COURT TO WHICH A PERSON IS
16 SUMMONED FOR JURY SERVICE SHALL ALLOW A PERSON WHO IS SEVENTY
17 YEARS OF AGE OR OLDER, AS OF THE BEGINNING DATE OF JURY SERVICE
18 STATED ON THE JUROR SUMMONS, TO PERMANENTLY OPT OUT OF JURY
19 SERVICE IF THE PERSON REQUESTS TO PERMANENTLY OPT OUT OF JURY
20 SERVICE.

21 (c) THE JUDGE OR JURY COMMISSIONER OF THE COURT TO WHICH
22 A PERSON IS SUMMONED FOR JURY SERVICE MAY REQUIRE THE PERSON
23 WHO REQUESTS EITHER A TEMPORARY OR PERMANENT OPT-OUT FROM
24 JURY SERVICE PURSUANT TO THIS SUBSECTION (2.7) TO PROVIDE A
25 DOCUMENT DEMONSTRATING ELIGIBILITY FOR THE OPT-OUT FROM JURY
26 SERVICE PURSUANT TO THIS SUBSECTION (2.7). A DOCUMENT PROVIDED

1 PURSUANT TO THIS SUBSECTION (2.7) IS NOT A PUBLIC RECORD AND MUST
2 NOT BE DISCLOSED TO THE PUBLIC.

3 (d) A PERSON WHO REQUESTS A TEMPORARY OR PERMANENT OPT-
4 OUT FROM JURY SERVICE PURSUANT TO THIS SUBSECTION (2.7) SHALL
5 TAKE ALL ACTIONS NECESSARY TO OBTAIN A DETERMINATION REGARDING
6 THE REQUEST BEFORE THE DATE ON WHICH THE PERSON IS SCHEDULED TO
7 APPEAR FOR JURY SERVICE.

8 (2.8) (a) A JUDGE OR JURY COMMISSIONER OF THE COURT TO
9 WHICH A PERSON IS SUMMONED FOR JURY SERVICE SHALL ALLOW A
10 PERSON WHO IS OUT OF THE STATE FOR THE PURPOSE OF ENROLLMENT AT
11 AN OUT-OF-STATE INSTITUTION OF HIGHER EDUCATION TO TEMPORARILY
12 OPT OUT OF JURY SERVICE IF THE PERSON REQUESTS TO TEMPORARILY OPT
13 OUT OF JURY SERVICE. THE TEMPORARY OPT-OUT DESCRIBED IN THIS
14 SUBSECTION (2.8)(a) APPLIES ONLY IF THE BEGINNING DATE OF JURY
15 SERVICE STATED ON THE JUROR SUMMONS OCCURS WHILE THE PERSON IS
16 ACTIVELY ENROLLED IN AT LEAST TWELVE CREDIT HOURS AT THE
17 OUT-OF-STATE INSTITUTION OF HIGHER EDUCATION.

18 (b) A JUDGE OR JURY COMMISSIONER OF THE COURT TO WHICH A
19 PERSON IS SUMMONED FOR JURY SERVICE SHALL ALLOW A PERSON WHO IS
20 OUT OF THE STATE FOR AN EXTENDED PERIOD OF TIME FOR THE PURPOSE
21 OF EMPLOYMENT TO TEMPORARILY OPT OUT OF JURY SERVICE IF THE
22 PERSON REQUESTS TO TEMPORARILY OPT OUT OF JURY SERVICE. THE
23 TEMPORARY OPT-OUT DESCRIBED IN THIS SUBSECTION (2.8)(b) APPLIES
24 ONLY IF THE BEGINNING DATE OF JURY SERVICE STATED ON THE JUROR
25 SUMMONS OCCURS WHILE THE PERSON IS OUT OF THE STATE FOR AN
26 EXTENDED PERIOD OF TIME FOR THE PURPOSE OF EMPLOYMENT.

27 (c) A PERSON WHO TEMPORARILY OPTS OUT PURSUANT TO

1 SUBSECTION (2.8)(a) OR (2.8)(b) OF THIS SECTION IS ELIGIBLE FOR JUROR
2 QUALIFICATION WHEN THE TEMPORARY OPT-OUT EXPIRES, AS DETERMINED
3 BY THE COURT. THE JUDGE OR JURY COMMISSIONER OF THE COURT TO
4 WHICH A PERSON IS SUMMONED FOR JURY SERVICE MAY REQUIRE THE
5 PERSON WHO REQUESTS A TEMPORARY OPT-OUT FROM JURY SERVICE
6 PURSUANT TO THIS SUBSECTION (2.8) TO PROVIDE A DOCUMENT
7 DEMONSTRATING ELIGIBILITY FOR THE OPT-OUT FROM JURY SERVICE
8 PURSUANT TO THIS SUBSECTION (2.8). A DOCUMENT PROVIDED PURSUANT
9 TO THIS SUBSECTION (2.8) IS NOT A PUBLIC RECORD AND MUST NOT BE
10 DISCLOSED TO THE PUBLIC.

11 (d) A PERSON WHO REQUESTS A TEMPORARY OPT- OUT FROM JURY
12 SERVICE PURSUANT TO SUBSECTION (2.8)(a) OR (2.8)(b) OF THIS SECTION
13 SHALL TAKE ALL ACTIONS NECESSARY TO OBTAIN A DETERMINATION
14 REGARDING THE REQUEST BEFORE THE DATE ON WHICH THE PERSON IS
15 SCHEDULED TO APPEAR FOR JURY SERVICE.

16 **SECTION 2.** In Colorado Revised Statutes, **amend** 13-71-116 as
17 follows:

18 **13-71-116. Trial juror's right to one postponement.** (1) A trial
19 juror ~~shall have~~ HAS the right to one postponement of the term of juror
20 service. The postponement must not last more than six months, but may
21 extend into the next calendar year. ~~except that, if a trial juror is a~~
22 ~~Colorado resident and a student enrolled in an institution of higher~~
23 ~~education outside the state of Colorado and attends classes at the~~
24 ~~institution in person, the postponement must not last more than twelve~~
25 ~~months but may extend into the next calendar year.~~ To exercise this right,
26 the juror shall notify the jury commissioner by telephone or in writing
27 requesting an alternate date to which juror service may be postponed. A

1 jury commissioner, in the jury commissioner's discretion, may set the date
2 to which the juror's service is postponed. A jury commissioner shall notify
3 the juror by telephone or in writing of the new date.

4 (2) ~~As used in this section, "institution of higher education" means~~
5 ~~any out-of-state postsecondary public or private educational institution~~
6 ~~that provides not less than a one-year program of training to prepare~~
7 ~~students for gainful employment.~~

8 **SECTION 3. Act subject to petition - effective date.** This act
9 takes effect at 12:01 a.m. on the day following the expiration of the
10 ninety-day period after final adjournment of the general assembly; except
11 that, if a referendum petition is filed pursuant to section 1 (3) of article V
12 of the state constitution against this act or an item, section, or part of this
13 act within such period, then the act, item, section, or part will not take
14 effect unless approved by the people at the general election to be held in
15 November 2026 and, in such case, will take effect on the date of the
16 official declaration of the vote thereon by the governor.