

CHAPTER 106

COURTS

SENATE BILL 98-066

BY SENATORS Wells, Bishop, Congrove, Dennis, Hernandez, Hopper, Johnson, Lamborn, Linkhart, Martinez, Mutzebaugh, Norton, Pascoe, Perlmutter, Rupert, Schroeder, Thiebaut, and Wham;
also REPRESENTATIVES Kreutz, Hefley, Keller, Lawrence, Leyba, Takis, Udall, and S. Williams.

AN ACT

CONCERNING SERVICE OF PERSONS WITH DISABILITIES AS JURORS IN COURT CASES.

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

SECTION 1. 13-71-104, Colorado Revised Statutes, is amended to read:

13-71-104. Eligibility for juror service - prohibition of discrimination.

(1) Juror service is a duty that every qualified person shall perform when selected.

(2) All trial and grand jurors shall be selected at random from a fair cross section of the population of the area served by the court. All selected and summoned jurors shall serve, except as otherwise provided in this article.

(3) (a) No person shall be exempted or excluded from serving as a trial or grand juror because of race, color, religion, sex, national origin, economic status, or occupation.

(b) ~~Physically impaired persons shall serve, except where the court finds that such service is not feasible.~~ A PERSON WITH A DISABILITY SHALL SERVE, EXCEPT WHERE THE COURT FINDS THAT SUCH PERSON'S DISABILITY PREVENTS THE PERSON FROM PERFORMING THE DUTIES AND RESPONSIBILITIES OF A JUROR. BEFORE DISMISSING A PERSON WITH A DISABILITY ON THE BASIS OF THAT PERSON'S DISABILITY, THE COURT SHALL INTERVIEW THE PERSON TO DETERMINE THE REASONABLE ACCOMMODATIONS, IF ANY, CONSISTENT WITH FEDERAL AND STATE LAW, THAT THE COURT SHALL MAKE AVAILABLE TO PERMIT THE PERSON TO PERFORM THE DUTIES OF A JUROR.

Capital letters indicate new material added to existing statutes; dashes through words indicate deletions from existing statutes and such material not part of act.

(4) The court shall strictly enforce the provisions of this article.

SECTION 2. Safety clause. The general assembly hereby finds, determines, and declares that this act is necessary for the immediate preservation of the public peace, health, and safety.

Approved: April 17, 1998