

Senate Engrossed

juror summons; election worker option

State of Arizona
Senate
Fifty-seventh Legislature
First Regular Session
2025

SENATE BILL 1063

AN ACT

AMENDING TITLE 16, CHAPTER 4, ARTICLE 7, ARIZONA REVISED STATUTES, BY
ADDING SECTION 16-531.01; AMENDING SECTIONS 21-202, 21-331 AND 21-332,
ARIZONA REVISED STATUTES; RELATING TO SUMMONING JURORS.

(TEXT OF BILL BEGINS ON NEXT PAGE)

1 Be it enacted by the Legislature of the State of Arizona:

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

18 C. ON COMPLETION OF THE ELECTION AND CONFIRMATION THAT A TEMPORARY
19 ELECTION BOARD WORKER COMPLETED THE BOARD WORKER'S SERVICE IN THAT ROLE,
20 THE COUNTY OFFICER IN CHARGE OF ELECTIONS SHALL NOTIFY THE JURY
21 COMMISSIONER THAT THE TEMPORARY ELECTION BOARD WORKER'S DUTIES WERE
22 COMPLETED.

23 Sec. 2. Section 21-202, Arizona Revised Statutes, is amended to
24 read:

25 21-202. Persons entitled to be excused from jury service

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

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

32 1. The prospective juror has a mental or physical condition that
33 causes the juror to be incapable of performing jury service. The juror or
34 the juror's personal representative shall provide to the court or jury
35 commissioner a medical statement from a physician who is licensed pursuant
36 to title 32, a physician assistant who is licensed pursuant to title 32,
37 chapter 25 or a registered nurse practitioner who is licensed pursuant to
38 title 32, chapter 15 that explains an existing mental or physical
39 condition that renders the person unfit for jury service. If a
40 prospective juror does not have a physician, a physician assistant or a
41 registered nurse practitioner, the prospective juror or the juror's
42 personal representative shall provide a sworn statement from a
43 professional caregiver for the prospective juror that is deemed acceptable
44 by the court or jury commissioner and that explains the mental or physical

1 condition that renders the prospective juror incapable of performing jury
2 service. For the purposes of this paragraph:

3 (a) The statement shall be in writing and shall contain a
4 description and duration of any mobility restrictions, the specific
5 symptoms that make the prospective juror mentally or physically unfit for
6 jury service and their duration, the employment status of the prospective
7 juror and the printed name, signature, professional license number if
8 applicable, area of specialty and contact information of the authorizing
9 physician, physician assistant, registered nurse practitioner or
10 professional caregiver.

11 (b) A form that complies with this paragraph shall be made
12 available at courthouses, the Arizona medical board website, the Arizona
13 regulatory board of physician assistants website, the Arizona board of
14 osteopathic examiners in medicine and surgery website, the Arizona state
15 board of nursing website and other appropriate locations that are
16 identified by the court or jury commissioner.

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

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

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

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

26 (a) A judge or jury commissioner of the court for which the person
27 was called to jury service shall determine whether jury service would
28 cause the prospective juror undue or extreme physical or financial
29 hardship.

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

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

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

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

43 (iii) Would suffer physical hardship that would result in illness
44 or disease.

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

4 (e) A person who requests to be excused under this paragraph shall
5 provide the judge or jury commissioner with documentation that supports
6 the request to be excused, such as federal and state income tax returns,
7 payroll records, medical statements from physicians licensed pursuant to
8 title 32, physician assistants licensed pursuant to title 32, chapter 25
9 or registered nurse practitioners licensed pursuant to title 32, chapter
10 15, proof of dependency or guardianship or other similar documents. The
11 judge or jury commissioner may excuse a person if the documentation
12 clearly supports the request to be excused. These documents are not
13 public records and shall not be disclosed to the general public.

14 5. The prospective juror is a peace officer who is certified by the
15 Arizona peace officer standards and training board and who is employed as
16 a peace officer by this state or any political subdivision of this
17 state. The employer of a peace officer shall not in any way influence the
18 peace officer to make or not to make an application to the court, pursuant
19 to this section, to be excused from jury service.

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

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

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

31 9. THE PROSPECTIVE JUROR PROVIDES PROOF FROM THE COUNTY THAT
32 EMPLOYED THE PROSPECTIVE JUROR THAT THE PROSPECTIVE JUROR SERVED AS AN
33 ELECTION BOARD WORKER AS AN INSPECTOR, MARSHAL, JUDGE OR CLERK PURSUANT TO
34 SECTION 16-531 WITHIN ONE HUNDRED EIGHTY DAYS IMMEDIATELY PRECEDING
35 RECEIPT OF THE JURY SUMMONS.

36 C. Notwithstanding subsection B of this section, a prospective
37 juror who is at least seventy-five years of age may submit a written
38 statement to the court requesting that the person be excused from
39 service. The prospective juror may request to be excused temporarily or
40 permanently. On receipt of the request, the judge or jury commissioner
41 shall excuse the prospective juror from service.

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

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

5 F. If the judge, jury commissioner or jury manager permanently
6 excuses the person from jury service, the person shall be notified that
7 the person is permanently excused.

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

10 21-331. Procedure for summoning jurors

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

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

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

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

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

27 D. Any person who fails to appear in response to a notice sent by
28 first class mail shall be immediately resummoned by a notice sent by first
29 class mail, registered mail or certified mail and shall not be subject to
30 a body attachment or fine as provided in section ~~21-334~~ 21-223 unless the
31 juror fails to appear in response to this second summons. Notwithstanding
32 section 21-301, subsection C, for any juror whose mail is returned as
33 undeliverable, the jury commissioner or jury manager shall notify the
34 county recorder who shall send a follow-up notice to the juror pursuant to
35 section 16-166, subsection A, including information regarding possible
36 removal from the voter registration rolls, and on completion of the
37 notification process pursuant to section 16-166, the county recorder shall
38 transfer the juror to the inactive voter list.

39 E. NOTWITHSTANDING ANY OTHER LAW, DURING THE PERIOD FROM ONE
40 HUNDRED TWENTY DAYS TO NINETY DAYS IMMEDIATELY PRECEDING THE DATE OF THE
41 REGULAR PRIMARY ELECTION, THE JURY COMMISSIONER MAY GIVE A QUALIFIED JUROR
42 THE OPTION TO SERVE AS A TEMPORARY ELECTION WORKER IN THE APPROPRIATE
43 COUNTY FOR THE UPCOMING PRIMARY AND GENERAL ELECTIONS INSTEAD OF
44 FULFILLING A JURY SERVICE OBLIGATION. NOT LATER THAN NINETY DAYS BEFORE
45 THE GENERAL ELECTION, THE JURY COMMISSIONER SHALL SUBMIT THE NAMES AND

1 CONTACT INFORMATION OF THE PROSPECTIVE JURORS WHO EXPRESS INTEREST IN
2 FULFILLING THEIR JURY SERVICE OBLIGATION BY SERVING AS A TEMPORARY
3 ELECTION WORKER TO THE COUNTY OFFICER IN CHARGE OF ELECTIONS. THE COUNTY
4 OFFICER IN CHARGE OF ELECTIONS SHALL PROCESS THOSE NAMES AS PRESCRIBED BY
5 SECTION 16-531.01 AND INFORM THE JURY COMMISSIONER OF THE NAMES OF
6 PROSPECTIVE JURORS WHO INTEND TO FULFILL THEIR JURY SERVICE OBLIGATION BY
7 SERVING AS TEMPORARY ELECTION WORKERS.

8 Sec. 4. Section 21-332, Arizona Revised Statutes, is amended to
9 read:

10 21-332. Jurors' term of service; exemption

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

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

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

16 3. Is assigned on one day to one or more trial divisions for jury
17 selection and serves through the completion of jury selection or is
18 excused.

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

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

24 6. SERVES AS A TEMPORARY ELECTION BOARD WORKER PURSUANT TO SECTION
25 16-531.01.

26 B. A presiding judge of a county superior court, in coordination
27 with the jury commissioner, may apply to the supreme court for an
28 exemption for the county from this section for a specified period of time,
29 not to exceed one year.