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# A BILL FOR AN ACT

RELATING TO JURY DUTY.

**BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF HAWAII:**

1           SECTION 1. The legislature recognizes that breastfeeding  
2 benefits both mothers and children. The American Academy of  
3 Pediatrics supports evidence that breastfeeding protects against  
4 a variety of diseases and conditions in infants, including  
5 bacteremia, diarrhea, respiratory and urinary tract infections,  
6 type 1 and type 2 diabetes, lymphoma, leukemia, and childhood  
7 obesity. There are also maternal health benefits to  
8 breastfeeding, such as decreased postpartum bleeding and more  
9 rapid uterine involution, decreased menstrual blood loss, and  
10 decreased risk of breast and ovarian cancers. The societal  
11 benefits of breastfeeding include lower health insurance costs  
12 and higher worker productivity.

13           The American Academy of Pediatrics recommends exclusive  
14 breastfeeding for about six months, with continuation of  
15 breastfeeding for one year or longer as mutually desired by  
16 mother and infant; the World Health Organization and the  
17 Institute of Medicine concur with this recommendation.



1           According to the federal Centers for Disease Control and  
2   Prevention's 2014 Breastfeeding Report Card, seventy-nine per  
3   cent of newborn infants in the United States start out  
4   breastfeeding. However, breastfeeding rates fell to forty-nine  
5   per cent at six months and twenty-seven per cent at twelve  
6   months. In Hawaii, only 26.4 per cent of babies are exclusively  
7   breastfeeding at six months, as recommended by the American  
8   Academy of Pediatrics.

9           The legislature finds that jury duty may create a hardship  
10   for mothers who breastfeed their children, as mother-child  
11   separation creates a serious challenge to continued  
12   breastfeeding. Furthermore, some women who are called to serve  
13   jury duty may not have ready access to the proper pump and  
14   supplies needed for expressing breast milk. An exemption from  
15   jury duty for a breastfeeding mother can positively impact the  
16   preservation of the breastfeeding relationship between a mother  
17   and her child and would also enable a woman to serve jury duty  
18   at a later time. The legislature further finds that a woman  
19   should not have to worry about her ability to breastfeed while  
20   serving on a jury.



1           The legislature additionally finds that, according to the  
2 National Conference of State Legislatures, seventeen states  
3 exempt breastfeeding mothers from jury duty or allow jury  
4 service to be postponed.

5           The purpose of this Act is to meet the health needs of  
6 Hawaii's mothers and babies by exempting from jury duty mothers  
7 who breastfeed or express breast milk; provided that this  
8 exemption shall end when a mother is no longer breastfeeding or  
9 expressing breast milk.

10           SECTION 2. Section 612-6, Hawaii Revised Statutes, is  
11 amended to read as follows:

12           "§612-6 Exempt when. A person may claim exemption from  
13 service as a juror if the person is:

- 14           (1) An elected official while the legislature is in  
15                 session, or a judge of the United States, State, or  
16                 county;
- 17           (2) An actively practicing physician or dentist;
- 18           (3) A member of the armed forces or militia when on active  
19                 service and deployed out-of-state;
- 20           (4) An active member of a police or fire department;



- 1 (5) A person who has served as a juror, either in a court
- 2 of this State or the United States District Court for
- 3 the District of Hawaii, within one year preceding the
- 4 time of filling out the juror qualification form;
- 5 (6) An active member of an emergency medical services
- 6 agency;
- 7 (7) A person living more than seventy miles from the court
- 8 for which jury service is required; [~~or~~]
- 9 (8) A person eighty years of age or older~~[-]~~; or
- 10 (9) A mother who is breastfeeding a child or expressing
- 11 breast milk; provided that this exemption shall end
- 12 when a mother is no longer breastfeeding or expressing
- 13 breast milk.

14 For purposes of this section, "emergency medical services  
 15 agency" means any government agency, private agency, or company  
 16 that provides ambulance services, emergency medical services, or  
 17 disaster medical services."

18 SECTION 3. Statutory material to be repealed is bracketed  
 19 and stricken. New statutory material is underscored.

20 SECTION 4. This Act shall take effect upon its approval.



**Report Title:**

Breastfeeding; Jury Duty; Exemption

**Description:**

Exempts from jury duty mothers who breastfeed or express breast milk; provided that this exemption shall end when a mother is no longer breastfeeding or expressing breast milk. (SD1)

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