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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 that a child  
14 breastfeed exclusively for about six months, with continuation  
15 of 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 because the mother-  
11 child 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 that are needed to express breast milk. An exemption  
15 from jury duty for a breastfeeding mother can have a positive  
16 impact on the preservation of the breastfeeding relationship  
17 between a mother and her child and would also enable a woman to  
18 serve jury duty at a later time. The legislature further finds  
19 that a woman should not have to worry about her ability to  
20 breastfeed while 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 continue for a period of two years from the  
9 birth of the child.

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 woman who is breastfeeding a child or expressing
- 11                   breast milk for a period of two years from the birth
- 12                   of the child.

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

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 Statutory material to be repealed is bracketed  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

19           SECTION 4. This Act shall take effect on March 1, 2017.



**Report Title:**

Breastfeeding; Jury Duty; Exemption

**Description:**

Exempts from jury duty a woman who is breastfeeding or expressing breast milk for a period of two years from the birth of the child. (SB2315 HD2)

*The summary description of legislation appearing on this page is for informational purposes only and is not legislation or evidence of legislative intent.*

