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## FISCAL IMPACT REPORT

ORIGINAL DATE 2/1/19

SPONSOR     Martinez     LAST UPDATED                      HB                                     

SHORT TITLE     No Jury Duty For People Over 75     SB     174    

ANALYST     Torres    

### ESTIMATED ADDITIONAL OPERATING BUDGET IMPACT (dollars in thousands)

	FY19	FY20	FY21	3 Year Total Cost	Recurring or Nonrecurring	Fund Affected
<b>Total</b>	None	Indeterminate but minimal	Indeterminate but minimal	Indeterminate but minimal	Recurring	General Fund

(Parenthesis ( ) Indicate Expenditure Decreases)

### SOURCES OF INFORMATION

LFC Files

#### Responses Received From

New Mexico Attorney General (NMAG)  
 Public Defender Department (PDD)  
 Administrative Office of the District Attorneys (AODA)  
 Administrative Office of the Courts (AOC)

### SUMMARY

#### Synopsis of Bill

Senate Bill 174 allows persons 75 years of age or older to seek exemption from jury service without having to obtain an affidavit. Jurors who are summonsed and 75 years or older are required to submit an affidavit of proof of age to be excused from jury service. SB174 is recommending to remove the affidavit as a requirement for excusals.

### FISCAL IMPLICATIONS

There will be a minimal administrative cost for statewide update, distribution and documentation of statutory changes. The minimal costs are likely to be offset by minimal savings in an increase of exempted jurors who will no longer receive pay.

### SIGNIFICANT ISSUES

Enacting SB174 would:

- Reduce the amount of paperwork required.
- Allow participants to request by phone, email, online, mail, etc., to be excused,

without a notarized form.

- Allow courts to verify age using the courts statewide Jury Management system, or other means, and not require the wait time or added step of a notarized form.

The Public Defender Department notes that “one constitutional issue could be that exempting persons over seventy-five might deny a person, particularly a person over seventy-five, of a jury of his or her peers. However, SB 174 does not add this provision; it only decreases the requirements for requesting such an exemption.”

IT/sb