
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 (AAP) supports evidence that breastfeeding protects
4 against a variety of diseases and conditions in the infant,
5 including bacteremia, diarrhea, respiratory and urinary tract
6 infections, type 1 and type 2 diabetes, lymphoma, leukemia, and
7 childhood 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 AAP recommends exclusive breastfeeding for about six
14 months, with continuation of breastfeeding for one year or
15 longer as mutually desired by mother and infant: the World
16 Health Organization and the Institute of Medicine concur with
17 this recommendation.



1 According to the Centers for Disease Control and
2 Prevention's 2010 Breastfeeding Report Card, three out of four
3 mothers in the United States start out breastfeeding, but at the
4 end of six months, breastfeeding rates fall to forty-three per
5 cent, with only thirteen per cent of babies exclusively
6 breastfed. Furthermore, in Hawaii, only one in five children
7 receives the absolute minimum of six months exclusive
8 breastfeeding as recommended by the AAP.

9 The legislature finds that jury duty places a hardship on
10 mothers who breastfeed their children, with mother-child
11 separation presenting a serious challenge to continue
12 breastfeeding. It costs nothing to exempt a breastfeeding woman
13 from jury duty, as the exemption allows the woman to serve on
14 jury duty at a later time. The exemption can make a big
15 difference in preserving the breastfeeding relationship.

16 A woman should not have to worry about how she is going to
17 feed her baby while required to sit in a courtroom, or while
18 sequestered. Additionally, not every woman has the necessary
19 pump and supplies to pump milk for her baby. According to the
20 National Conference of State Legislatures, seventeen states



1 exempt breastfeeding mothers from jury duty or allow jury
2 service to be postponed.

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

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

10 "§612-6 Exempt when. A person may claim exemption from
11 service as a juror if the person is:

- 12 (1) An elected official while the legislature is in
13 session, or a judge of the United States, State, or
14 county;
- 15 (2) An actively practicing physician or dentist;
- 16 (3) A member of the armed forces or militia when on active
17 service and deployed out-of-state;
- 18 (4) An active member of a police or fire department;
- 19 (5) A person who has served as a juror, either in a court
20 of this State or the United States District Court for



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

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

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

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

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Report Title:

Breastfeeding; Jury Duty; Exemption

Description:

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

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