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SENATE BILL NO. 107

Senate Amendments in [] - January 21, 2026

A BILL to amend and reenact § 8.01-341.1 of the Code of Virginia, relating to exemptions from jury service upon request; certain caretakers of persons with serious health conditions.

Patron Prior to Engrossment—Senator Pekarsky

Referred to Committee for Courts of Justice

Be it enacted by the General Assembly of Virginia:

1. That § 8.01-341.1 of the Code of Virginia is amended and reenacted as follows:

§ 8.01-341.1. Exemptions from jury service upon request.

Any of the following persons may serve on juries in civil and criminal cases but shall be exempt from jury service upon his request:

1. through 3. [Repealed.]
4. A mariner actually employed in maritime service;
5. through 7. [Repealed.]
8. A person who has legal custody of and is necessarily and personally responsible for (i) a child or ~~children~~ 16 years of age or younger or (ii) a child under 18 years of age having a serious health condition, including illness, injury, or physical or mental impairment, or a condition [requiring when either such child requires] continuous care by him during normal court hours, or any mother who is breast-feeding a child;
9. A person, *including a familial caretaker*, who is necessarily and personally responsible for a person having a serious health condition, including illness, injury, or physical or mental impairment, or a condition requiring continuous care by him during normal court hours. *For the purposes of this subdivision, "familial caretaker" [shall include includes] a family or household member, as that term is defined in § 16.1-228, close family friend, or other adult with a close personal relationship to a person with a serious health condition who provides full-time care to such person;*
10. Any person over 73 years of age;
11. Any person whose spouse is summoned to serve on the same jury panel;
12. Any person who is the only person performing services for a business, commercial or agricultural enterprise and whose services are so essential to the operations of the business, commercial or agricultural enterprise that such enterprise must close or cease to function if such person is required to perform jury duty;
13. Any person who is the only person performing services for a political subdivision as a firefighter, as defined in § 65.2-102, and whose services are so essential to the operations of the political subdivision that such political subdivision will suffer an undue hardship in carrying out such services if such person is required to perform jury duty;
14. Any person employed by the Office of the Clerk of the House of Delegates, the Office of the Clerk of the Senate, the Division of Legislative Services, and the Division of Legislative Automated Systems; however, this exemption shall apply only to jury service starting (i) during the period beginning 60 days prior to the day any regular session commences and ending 30 days after the day of adjournment of such session and (ii) during the period beginning seven days prior to the day any reconvened or special session commences and ending seven days after the day of adjournment of such session;
15. Any general registrar, member of a local electoral board, or person appointed or employed by either the general registrar or the local electoral board, except officers of election appointed pursuant to Article 5 (24.2-115 et seq.) of Chapter 1 of Title 24.2; however, this exemption shall apply only to jury service starting (i) during the period beginning 90 days prior to any election and continuing through election day, (ii) during the period to ascertain the results of the election and continuing for 10 days after the local electoral board certifies the results of the election under § 24.2-671 or the State Board of Elections certifies the results of the election under § 24.2-679, or (iii) during the period of an election recount or contested election pursuant to Chapter 8 (§ 24.2-800 et seq.) of Title 24.2. Any officer of election shall be exempt from jury service only on election day and during the periods set forth in clauses (ii) and (iii); and
16. Any member of the armed services of the United States or the diplomatic service of the United States appointed under the Foreign Service Act (22 U.S.C. § 3901 et seq.) who will be serving outside of the United States at the time of such jury service.