

SECOND REGULAR SESSION

HOUSE BILL NO. 1457

102ND GENERAL ASSEMBLY

INTRODUCED BY REPRESENTATIVE VEIT.

3153H.011

DANA RADEMAN MILLER, Chief Clerk

AN ACT

To repeal sections 488.040 and 494.455, RSMo, and to enact in lieu thereof two new sections relating to compensation for jurors.

Be it enacted by the General Assembly of the state of Missouri, as follows:

Section A. Sections 488.040 and 494.455, RSMo, are repealed and two new sections enacted in lieu thereof, to be known as sections 488.040 and 494.455, to read as follows:

488.040. ~~[1-] Each grand and petit juror shall, pursuant to the provisions of section 494.455, receive six dollars per day for every day he or she may actually serve as such and seven cents for every mile he or she may necessarily travel going from his or her place of residence to the courthouse and returning, to be paid from funds of the county or a city not within a county.~~

~~2. Provided that a county or a city not within a county authorizes daily compensation payable from county or city funds for jurors who serve in that county pursuant to subsection 3 of this section in the amount of at least six dollars per day in addition to the amount required by subsection 1 of this section, a person shall receive an additional six dollars per day, pursuant to the provisions of section 494.455, to be reimbursed by the state of Missouri so that the total compensation payable shall be at least eighteen dollars, plus mileage as indicated in subsection 1 of this section, for each day that the person actually serves as a petit juror in a particular case; or for each day that a person actually serves as a grand juror during a term of a grand jury. The state shall reimburse the county for six dollars of the additional juror compensation provided by this subsection.~~

~~3. The governing body of each county or a city not within a county may authorize additional daily compensation and mileage allowance for jurors, which additional~~

EXPLANATION — Matter enclosed in bold-faced brackets **[thus]** in the above bill is not enacted and is intended to be omitted from the law. Matter in **bold-face** type in the above bill is proposed language.

18 ~~compensation shall be paid from the funds of the county or a city not within a county. The~~
19 ~~governing body of each county or a city not within a county may authorize additional daily~~
20 ~~compensation and mileage allowance for jurors attending a coroner's inquest. Jurors may~~
21 ~~receive the additional compensation and mileage allowance authorized by this subsection~~
22 ~~only if the governing body of the county or the city not within a county authorizes the~~
23 ~~additional compensation. The provisions of this subsection authorizing additional~~
24 ~~compensation shall terminate upon the issuance of a mandate by the Missouri supreme~~
25 ~~court which results in the state of Missouri being obligated or required to pay any such~~
26 ~~additional compensation even if such additional compensation is formally approved or~~
27 ~~authorized by the governing body of a county or a city not within a county.~~

28 4. ~~When each panel of jurors summoned and attending court has completed its~~
29 ~~service, the board of jury commissioners shall cause to be submitted to the governing body of~~
30 ~~the county or a city not within a county a statement of fees earned by each juror. Within thirty~~
31 ~~days of the submission of the statement of fees, the governing body shall cause payment to be~~
32 ~~made to those jurors summoned the fees earned during their service as jurors] receive daily~~
33 **compensation and mileage allowance in the amount provided by law under section**
34 **494.455.**

494.455. 1. ~~[Each county or city not within a county may elect to compensate its~~
2 ~~jurors pursuant to subsection 2 of this section except as otherwise provided in subsection 3 of~~
3 ~~this section.~~

4 2.] Each grand and petit juror shall receive a **minimum of six dollars per day**, for
5 every day ~~[he or she] the juror~~ may actually serve as ~~[such] a juror~~, and ~~[seven cents] the~~
6 **mileage rate as provided by law for state employees** for every mile ~~[he or she] the juror~~
7 may necessarily travel going from ~~[his or her] the juror's~~ place of residence to the courthouse
8 and returning, to be paid from funds of the county or a city not within a county. **Each county**
9 **or city not within a county may elect to compensate its jurors under subsection 2 of this**
10 **section, except as otherwise provided in subsection 3 of this section.**

11 2. The governing body of each county or a city not within a county may authorize
12 additional daily compensation and mileage allowance for jurors, which additional
13 compensation shall be paid from the funds of the county or a city not within a county.
14 The governing body of each county or a city not within a county may authorize additional
15 daily compensation and mileage allowance for jurors attending a coroner's inquest. Jurors
16 may receive the additional compensation and mileage allowance authorized by this subsection
17 only if the governing body of the county or the city not within a county authorizes the
18 additional compensation. The provisions of this subsection authorizing additional
19 compensation shall terminate upon the issuance of a mandate by the Missouri supreme
20 court which results in the state of Missouri being obligated or required to pay any such

21 additional compensation even if such additional compensation is formally approved or
22 authorized by the governing body of a county or a city not within a county. Provided that a
23 county or a city not within a county authorizes daily compensation payable from county or
24 city funds for jurors who serve in that county pursuant to this subsection in the amount of at
25 least six dollars per day in addition to the amount required by this subsection, a person shall
26 receive an additional six dollars per day to be reimbursed by the state of Missouri so that the
27 total compensation payable shall be at least eighteen dollars, plus mileage for each day that
28 the person actually serves as a petit juror in a particular case; or for each day that a person
29 actually serves as a grand juror during a term of a grand jury. The state shall reimburse the
30 county for six dollars of the additional juror compensation provided by this subsection.

31 3. ~~[In any county of the first classification without a charter form of government and~~
32 ~~with a population of at least two hundred thousand inhabitants, no grand or petit juror shall~~
33 ~~receive compensation for the first two days of service, but shall receive fifty dollars per day~~
34 ~~for the third day and each subsequent day he or she may actually serve as such, and seven~~
35 ~~cents for every mile he or she may necessarily travel going from his or her place of residence~~
36 ~~to the courthouse and returning, to be paid from funds of the county.] **Notwithstanding the**~~
37 **provisions of subsection 1 or 2 of this section, by a majority vote, the court en banc of a**
38 **judicial circuit may adopt a system for juror compensation in a city not within a county**
39 **or a county within the circuit, as follows: each grand or petit juror shall receive fifty**
40 **dollars per day for the third day the juror may actually serve as a juror and for each**
41 **subsequent day of actual service, and the mileage rate as provided by law for state**
42 **employees for every mile the juror may necessarily travel from the juror's place of**
43 **residence to the courthouse and returning, to be paid from funds of the county or a city**
44 **not within a county; provided that, no grand or petit juror shall receive compensation**
45 **for the first two days the juror may actually serve as such.**

46 4. When each panel of jurors summoned and attending court has completed its
47 service, the board of jury commissioners shall cause to be submitted to the governing body of
48 the county or a city not within a county a statement of fees earned by each juror. Within thirty
49 days of the submission of the statement of fees, the governing body shall cause payment to be
50 made to those jurors summoned the fees earned during their service as jurors.

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