

Department of Planning and Budget 2023 Fiscal Impact Statement

1. Bill Number: SB789

House of Origin Introduced Substitute Engrossed

Second House In Committee Substitute Enrolled

2. Patron: Spruill

3. Committee: Senate Committee on the Judiciary

4. Title: Increase jury duty allowance from \$30 to \$100 per day

5. Summary: The proposed bill increases the jury duty allowance from \$30 to \$100 per day

6. Budget Amendment Necessary: Yes, Item 44

7. Fiscal Impact Estimates: Preliminary (see Item 8 below)

8. Fiscal Implications: According to the Office of Executive Secretary of the Supreme Court (OES), the amount expended for jurors in circuit courts during fiscal year (FY) 2019 (the most recent year unaffected by the pandemic) was \$2,288,658. As of December 31, 2022, the fiscal year 2023 juror payments totaled \$1,152,935 (see table below), which slightly exceeds FY 2019 payments at the mid-fiscal year point.

| Juror Expenditures from Criminal Fund | | | |
|--|---------------------------------|--------------------------------|--------------|
| | <u>July-</u> <u>December</u> | <u>January-</u> <u>June</u> | <u>Total</u> |
| FY19 | \$1,104,164 | \$1,184,494 | \$2,288,658 |
| FY20 | \$ 944,461 | \$ 641,426 | \$1,585,887 |
| FY21 | \$ 71,257 | \$ 345,561 | \$ 416,818 |
| FY22 | \$ 727,439 | \$ 919,383 | \$1,646,822 |
| FY23 | \$1,152,935 | | |

If this legislation were to go into effect, and juries were empaneled at the FY 2019 pre-pandemic rate, OES estimates the general fund fiscal impact to the Criminal Fund would increase by \$5,340,201 in FY2024. Additionally, according to the OES, the estimated \$5,340,201 amount does not reflect any increase in the number of defendants who may choose to opt for jury trials due to SB5007 (Chapter 43, 2021 Special Session I), criminal justice sentencing reform bill, which provided that in a criminal case the court shall ascertain the extent of the punishment

unless the accused has requested that the jury ascertain punishment or was found guilty of capital murder. It also provided that if a jury cannot agree on a punishment, the court must fix the punishment.

9. Specific Agency or Political Subdivisions Affected: Circuit Courts

10. Technical Amendment Necessary: No

11. Other Comments: None