

FIRST REGULAR SESSION

# HOUSE BILL NO. 131

103RD GENERAL ASSEMBLY

INTRODUCED BY REPRESENTATIVE VEIT.

0181H.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Section A. Sections 488.040 and 494.455, RSMo, are repealed and two new sections enacted in lieu thereof, to be known as sections 488.040 and 494.455, to read as follows: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 pursuant to 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 section 33.095 for state employees** for every mile ~~[he or she]~~  
7 **the juror** may necessarily travel going from ~~[his or her]~~ **the juror's** place of residence to the  
8 courthouse and returning, to be paid from funds of the county or a city not within a county.  
9 **Each county or city not within a county may elect to compensate its jurors pursuant to**  
10 **subsection 2 of this 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 **1 of this**  
26 **section**, a person shall receive an additional six dollars per day to be reimbursed by the state  
27 of Missouri so that the total compensation payable shall be at least eighteen dollars, plus  
28 mileage for each day that the person actually serves as a petit juror in a particular case; or for  
29 each day that a person actually serves as a grand juror during a term of a grand jury. The state  
30 shall reimburse the county for six dollars of the additional juror compensation provided by  
31 this subsection.

32 3. ~~[In any county of the first classification without a charter form of government and~~  
33 ~~with a population of at least two hundred thousand inhabitants, no grand or petit juror shall~~  
34 ~~receive compensation for the first two days of service, but shall receive fifty dollars per day~~  
35 ~~for the third day and each subsequent day he or she may actually serve as such, and seven~~  
36 ~~cents for every mile he or she may necessarily travel going from his or her place of residence~~  
37 ~~to the courthouse and returning, to be paid from funds of the county.] **Notwithstanding the**~~  
38 **provisions of subsection 1 or 2 of this section, by a majority vote, the governing body of**  
39 **a county or city not within a county may adopt a system for juror compensation in the**  
40 **county or city not within a county as follows: each grand or petit juror shall receive fifty**  
41 **dollars per day for the third day the juror may actually serve as a juror and for each**  
42 **subsequent day of actual service, and the mileage rate as provided by section 33.095 for**  
43 **state employees for every mile the juror may necessarily travel from the juror's place of**  
44 **residence to the courthouse and returning, to be paid from funds of the county or city**  
45 **not within a county, provided that no grand or petit juror shall receive compensation for**  
46 **the first two days the juror may actually serve as such.**

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

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