

FIRST REGULAR SESSION

# HOUSE BILL NO. 571

## 103RD GENERAL ASSEMBLY

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INTRODUCED BY REPRESENTATIVE SMITH (74).

1624H.01I

DANA RADEMAN MILLER, Chief Clerk

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### AN ACT

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

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*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Section A. Sections 488.040 and 494.455, RSMo, are repealed and two new sections 2 enacted in lieu thereof, to be known as sections 488.040 and 494.455, to read as follows:

488.040. ~~[+]~~ Each grand and petit juror shall ~~[~~, pursuant to the provisions of section 2 494.455, receive six dollars per day for every day he or she may actually serve as such and 3 seven cents for every mile he or she may necessarily travel going from his or her place of 4 residence to the courthouse and returning, to be paid from funds of the county or a city not 5 within a county.

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

3. ~~The governing body of each county or a city not within a county may authorize~~  
17 ~~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 a 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. (1) Each grand and petit juror shall receive the following amounts for each day  
5 he or she may actually serve as a juror, to be paid from funds of the county or the city  
6 not within a county:

7 (a) Before January 1, 2026, six dollars per day[, for every day he or she may  
8 actually serve as such, and seven cents for every mile he or she may necessarily travel going  
9 from his or her place of residence to the courthouse and returning, to be paid from funds of  
10 the county or a city not within a county];

11 (b) After December 31, 2025, and before January 1, 2027, ten dollars for the first  
12 day and fifteen dollars for each subsequent day; and

13 (c) After December 31, 2026, and each day thereafter, fifteen dollars for the first  
14 day and twenty-five dollars for each subsequent day.

15 (2) In addition to the compensation under subdivision (1) of this subsection, each  
16 grand and petit juror shall receive a mileage allowance for travel from the juror's place  
17 of residence to the courthouse and returning, to be paid from funds of the county or the  
18 city not within a county, as follows:

19 (a) Before January 1, 2026, seven cents for each mile he or she travels; and

20           (b) After December 31, 2025, the same allowance as provided by law for state  
21 employees for travel.

(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 compensation shall be paid from the funds of the county or a city not within a county. ~~The governing body of each county or a city not within a county may authorize additional daily compensation and mileage allowance for jurors attending a coroner's inquest. Jurors may receive the additional compensation and mileage allowance authorized by this subsection only if the governing body of the county or the city not within a county authorizes the additional compensation. The provisions of this subsection authorizing additional compensation shall terminate upon the issuance of a mandate by the Missouri supreme court which results in the state of Missouri being obligated or required to pay any such additional compensation even if such additional compensation is formally approved or authorized by the governing body of a county or a city not within a county. 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 this subsection in the amount of at least six dollars per day in addition to the amount required by this subsection, a person shall receive an additional six dollars per day to be reimbursed by the state of Missouri so that the total compensation payable shall be at least eighteen dollars, plus mileage 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.~~

42       3. In any county of the first classification without a charter form of government and  
43 with a population of at least two hundred thousand inhabitants, no grand or petit juror shall  
44 receive compensation for the first two days of service, but shall receive fifty dollars per day  
45 for the third day and each subsequent day he or she may actually serve as such, and seven  
46 cents for every mile he or she may necessarily travel going from his or her place of residence  
47 to the courthouse and returning, to be paid from funds of the county.

48        4.] 3. When each panel of jurors summoned and attending court has completed its  
49 service, the board of jury commissioners shall cause to be submitted to the governing body of  
50 the county or a city not within a county a statement of fees earned by each juror. Within thirty  
51 days of the submission of the statement of fees, the governing body shall cause payment to be  
52 made to those jurors summoned the fees earned during their service as jurors.

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