

SECOND REGULAR SESSION

# HOUSE BILL NO. 1380

95TH GENERAL ASSEMBLY

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INTRODUCED BY REPRESENTATIVE SALVA.

3861L.011

D. ADAM CRUMBLISS, Chief Clerk

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## AN ACT

To repeal section 494.455, RSMo, and to enact in lieu thereof three new sections relating to juror compensation.

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

Section A. Section 494.455, RSMo, is repealed and three new sections enacted in lieu thereof, to be known as sections 50.567, 488.2207, and 494.455, to read as follows:

**50.567. In every county with a charter form of government and with more than six hundred thousand but fewer than seven hundred thousand inhabitants the chief governing body of such county shall establish a "Jury Service Expense Fund" for the purpose of aiding with payment of expenses related to compensation of jurors for jury service under the provisions of subsection 4 of section 494.455. The fund shall consist of moneys collected under section 488.2207 and shall be used solely for providing juror compensation which is in addition to the basic funding for jury service calculated at the rate of six dollars per day. The fund shall be administered by the county treasurer and may be audited as are all other county funds.**

**488.2207. 1. In addition to all court fees and costs prescribed by law, a surcharge of three dollars shall be assessed as costs in each court proceeding filed in any circuit court, in any county with a charter form of government and with more than six hundred thousand but fewer than seven hundred thousand inhabitants, in all civil cases and in all criminal cases except that no such surcharge shall be charged in civil or criminal cases when no court costs are otherwise required, when costs are waived or when costs are to be paid by the state, county or municipality. Such surcharges shall be collected and disbursed by the clerk of the circuit court in the manner provided by sections 488.010 to 488.020, and**

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.

9 shall be payable to the jury service expense fund created under section 50.567 in the county  
10 in which the surcharge was assessed as costs.

11 2. The county shall use all funds received under this section only to provide juror  
12 compensation which is in addition to the basic funding for jury service calculated at the  
13 rate of six dollars per day.

494.455. 1. Each county or city not within a county may elect to compensate its jurors  
2 pursuant to subsection 2 of this section except as otherwise provided in [subsection] subsections  
3 3 and 4 of this section.

4 2. Each grand and petit juror shall receive six dollars per day, for every day he or she  
5 may actually serve as such, and seven cents for every mile he or she may necessarily travel going  
6 from his or her place of residence to the courthouse and returning, to be paid from funds of the  
7 county or a city not within a county. The governing body of each county or a city not within a  
8 county may authorize additional daily compensation and mileage allowance for jurors, which  
9 additional compensation shall be paid from the funds of the county or a city not within a county.  
10 The governing body of each county or a city not within a county may authorize additional daily  
11 compensation and mileage allowance for jurors attending a coroner's inquest. Jurors may receive  
12 the additional compensation and mileage allowance authorized by this subsection only if the  
13 governing body of the county or the city not within a county authorizes the additional  
14 compensation. The provisions of this subsection authorizing additional compensation shall  
15 terminate upon the issuance of a mandate by the Missouri supreme court which results in the  
16 state of Missouri being obligated or required to pay any such additional compensation even if  
17 such additional compensation is formally approved or authorized by the governing body of a  
18 county or a city not within a county. Provided that a county or a city not within a county  
19 authorizes daily compensation payable from county or city funds for jurors who serve in that  
20 county pursuant to this subsection in the amount of at least six dollars per day in addition to the  
21 amount required by this subsection, a person shall receive an additional six dollars per day to be  
22 reimbursed by the state of Missouri so that the total compensation payable shall be at least  
23 eighteen dollars, plus mileage for each day that the person actually serves as a petit juror in a  
24 particular case; or for each day that a person actually serves as a grand juror during a term of a  
25 grand jury. The state shall reimburse the county for six dollars of the additional juror  
26 compensation provided by this subsection.

27 3. In any county of the first classification without a charter form of government and with  
28 a population of at least two hundred thousand inhabitants, no grand or petit juror shall receive  
29 compensation for the first two days of service, but shall receive fifty dollars per day for the third  
30 day and each subsequent day he or she may actually serve as such, and seven cents for every mile

31 he or she may necessarily travel going from his or her place of residence to the courthouse and  
32 returning, to be paid from funds of the county.

33 [4.] **4. In any county with a charter form of government and with more than six**  
34 **hundred thousand but fewer than seven hundred thousand inhabitants no grand or petit**  
35 **juror shall receive compensation for the first day of service. For the second day of service**  
36 **each grand and petit juror shall receive six dollars per day for every day he or she may**  
37 **actually serve as such. For the third and each subsequent day he or she may actually serve**  
38 **as such each grand and petit juror shall receive forty dollars per day. No petit or grand**  
39 **juror shall receive pay for mileage for any day of service.**

40 **5.** When each panel of jurors summoned and attending court has completed its service,  
41 the board of jury commissioners shall cause to be submitted to the governing body of the county  
42 or a city not within a county a statement of fees earned by each juror. Within thirty days of the  
43 submission of the statement of fees, the governing body shall cause payment to be made to those  
44 jurors summoned the fees earned during their service as jurors.

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