

SECOND REGULAR SESSION

# HOUSE BILL NO. 1400

## 100TH GENERAL ASSEMBLY

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INTRODUCED BY REPRESENTATIVE PRICE.

3004H.01I

DANA RADEMAN MILLER, Chief Clerk

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### AN ACT

To repeal section 494.455, RSMo, and to enact in lieu thereof one new section 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Section A. Section 494.455, RSMo, is repealed and one new section enacted in lieu  
2 thereof, to be known as section 494.455, to read as follows:

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 3 of this  
3 section. **A city not within a county may elect to compensate its jurors under subsection 2**  
4 **of this section, unless the provisions of subsection 5 are applicable, in which case jurors**  
5 **shall be compensated under subsection 5.**

6       2. **Except as provided in subsection 5 of this section**, each grand and petit juror shall  
7 receive six dollars per day[~~5~~] for every day he or she may actually serve as such[~~5~~] and seven cents  
8 for every mile he or she may necessarily travel going from his or her place of residence to the  
9 courthouse and returning, to be paid from funds of the county or a city not within a county. The  
10 governing body of each county or a city not within a county may authorize additional daily  
11 compensation and mileage allowance for jurors, which additional compensation shall be paid  
12 from the funds of the county or a city not within a county. The governing body of each county  
13 or a city not within a county may authorize additional daily compensation and mileage allowance  
14 for jurors attending a coroner's inquest. Jurors may receive the additional compensation and  
15 mileage allowance authorized by this subsection only if the governing body of the county or the  
16 city not within a county authorizes the additional compensation. The provisions of this  
17 subsection authorizing additional compensation shall terminate upon the issuance of a mandate

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

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

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

40       5. **Each grand and petit juror serving on a jury located in a city not within a county  
41 shall be compensated as follows if the juror provides to the court proof of employment and  
42 documentation of his or her daily average pay at such employment:**

43           (1) **For the first three days of service on a jury, a juror shall be compensated each  
44 day as follows:**

45              (a) **One-third of the juror's average daily pay to be paid by the employer;**  
46              (b) **One-third of the juror's average daily pay to be paid by the state; and**  
47              (c) **One-third of the juror's average daily pay to be paid by a city not within a  
48 county; and**

49           (2) **For the fourth day and any day thereafter, the juror shall be compensated as  
50 provided in subsection 2 of this section.**