

SENATE BILL NO. 447

103RD GENERAL ASSEMBLY

INTRODUCED BY SENATOR TRENT.

0115S.01H

KRISTINA MARTIN, Secretary

AN ACT

To repeal sections 488.040 and 494.455, RSMo, and to enact in lieu thereof two new sections relating to the 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Section A. Sections 488.040 and 494.455, RSMo, are repealed and two new sections enacted in lieu thereof, to be known as sections 488.040 and 494.455, to read as follows: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

EXPLANATION-Matter enclosed in bold-faced brackets [thus] in this bill is not enacted and is intended to be omitted in the law.

19 actually serves as a petit juror in a particular case; or
20 for each day that a person actually serves as a grand juror
21 during a term of a grand jury. The state shall reimburse
22 the county for six dollars of the additional juror
23 compensation provided by this subsection.

24 3. The governing body of each county or a city not
25 within a county may authorize additional daily compensation
26 and mileage allowance for jurors, which additional
27 compensation shall be paid from the funds of the county or a
28 city not within a county. The governing body of each county
29 or a city not within a county may authorize additional daily
30 compensation and mileage allowance for jurors attending a
31 coroner's inquest. Jurors may receive the additional
32 compensation and mileage allowance authorized by this
33 subsection only if the governing body of the county or the
34 city not within a county authorizes the additional
35 compensation. The provisions of this subsection authorizing
36 additional compensation shall terminate upon the issuance of
37 a mandate by the Missouri supreme court which results in the
38 state of Missouri being obligated or required to pay any
39 such additional compensation even if such additional
40 compensation is formally approved or authorized by the
41 governing body of a county or a city not within a county.

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

50 **compensation and mileage allowance in the amount provided by**
51 **law pursuant to section 494.455.**

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

5 **2.]** Each grand and petit juror shall receive **a minimum**
6 **of six dollars per day, for every day [he or she] the juror**
7 **may actually serve as [such] a juror, and [seven cents] the**
8 **mileage rate as provided by section 33.095 for state**
9 **employees for every mile [he or she] the juror may**
10 **necessarily travel going from [his or her] the juror's place**
11 **of residence to the courthouse and returning, to be paid**
12 **from funds of the county or a city not within a county.**
13 **Each county or city not within a county may elect to**
14 **compensate its jurors pursuant to subsection 2 of this**
15 **section, except as otherwise provided in subsection 3 of**
16 **this section.**

17 **2.** The governing body of each county or a city not
18 within a county may authorize additional daily compensation
19 and mileage allowance for jurors, which additional
20 compensation shall be paid from the funds of the county or a
21 city not within a county. The governing body of each county
22 or a city not within a county may authorize additional daily
23 compensation and mileage allowance for jurors attending a
24 coroner's inquest. Jurors may receive the additional
25 compensation and mileage allowance authorized by this
26 subsection only if the governing body of the county or the
27 city not within a county authorizes the additional
28 compensation. The provisions of this subsection authorizing
29 additional compensation shall terminate upon the issuance of
30 a mandate by the Missouri supreme court which results in the

31 state of Missouri being obligated or required to pay any
32 such additional compensation even if such additional
33 compensation is formally approved or authorized by the
34 governing body of a county or a city not within a county.
35 Provided that a county or a city not within a county
36 authorizes daily compensation payable from county or city
37 funds for jurors who serve in that county pursuant to this
38 subsection in the amount of at least six dollars per day in
39 addition to the amount required by [this] subsection **1 of**
40 **this section**, a person shall receive an additional six
41 dollars per day to be reimbursed by the state of Missouri so
42 that the total compensation payable shall be at least
43 eighteen dollars, plus mileage for each day that the person
44 actually serves as a petit juror in a particular case; or
45 for each day that a person actually serves as a grand juror
46 during a term of a grand jury. The state shall reimburse
47 the county for six dollars of the additional juror
48 compensation provided by this subsection.

49 3. [In any county of the first classification without
50 a charter form of government and with a population of at
51 least two hundred thousand inhabitants, no grand or petit
52 juror shall receive compensation for the first two days of
53 service, but shall receive fifty dollars per day for the
54 third day and each subsequent day he or she may actually
55 serve as such, and seven cents for every mile he or she may
56 necessarily travel going from his or her place of residence
57 to the courthouse and returning, to be paid from funds of
58 the county] **Notwithstanding the provisions of subsections 1**
59 **or 2 of this section to the contrary, by a majority vote,**
60 **the governing body of a county or a city not within a county**
61 **may adopt a system for juror compensation in the county or a**
62 **city not within a county as follows: each grand or petit**

63 juror shall receive fifty dollars per day for the third day
64 the juror may actually serve as a juror and for each
65 subsequent day of actual service, and the mileage rate as
66 provided by section 33.095 for state employees for every
67 mile the juror may necessarily travel from the juror's place
68 of residence to the courthouse and returning, to be paid
69 from funds of the county or a city not within a county;
70 provided that no grand or petit juror shall receive
71 compensation for the first two days the juror may actually
72 serve as such.

73 4. When each panel of jurors summoned and attending
74 court has completed its service, the board of jury
75 commissioners shall cause to be submitted to the governing
76 body of the county or a city not within a county a statement
77 of fees earned by each juror. Within thirty days of the
78 submission of the statement of fees, the governing body
79 shall cause payment to be made to those jurors summoned the
80 fees earned during their service as jurors.

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