

COMMITTEE ON LEGISLATIVE RESEARCH
OVERSIGHT DIVISION

FISCAL NOTE

L.R. No.: 3730S.01I
 Bill No.: SB 1220
 Subject: Courts; Juries
 Type: Original
 Date: February 23, 2024

Bill Summary: This proposal modifies provisions relating to the compensation of jurors.

FISCAL SUMMARY

ESTIMATED NET EFFECT ON GENERAL REVENUE FUND			
FUND AFFECTED	FY 2025	FY 2026	FY 2027
General Revenue*	\$0 or Unknown to (Unknown)	\$0 or Unknown to (Unknown)	\$0 or Unknown to (Unknown)
Total Estimated Net Effect on General Revenue	\$0 or Unknown to (Unknown)	\$0 or Unknown to (Unknown)	\$0 or Unknown to (Unknown)

*Oversight assume the potential adoption of the new compensation method for jurors would not reach the \$250,000 threshold.

ESTIMATED NET EFFECT ON OTHER STATE FUNDS			
FUND AFFECTED	FY 2025	FY 2026	FY 2027
Total Estimated Net Effect on <u>Other</u> State Funds	\$0	\$0	\$0

Numbers within parentheses: () indicate costs or losses.

ESTIMATED NET EFFECT ON FEDERAL FUNDS			
FUND AFFECTED	FY 2025	FY 2026	FY 2027
Total Estimated Net Effect on <u>All</u> Federal Funds	\$0	\$0	\$0

ESTIMATED NET EFFECT ON FULL TIME EQUIVALENT (FTE)			
FUND AFFECTED	FY 2025	FY 2026	FY 2027
Total Estimated Net Effect on FTE	0	0	0

- Estimated Net Effect (expenditures or reduced revenues) expected to exceed \$250,000 in any of the three fiscal years after implementation of the act or at full implementation of the act.
- Estimated Net Effect (savings or increased revenues) expected to exceed \$250,000 in any of the three fiscal years after implementation of the act or at full implementation of the act.

ESTIMATED NET EFFECT ON LOCAL FUNDS			
FUND AFFECTED	FY 2025	FY 2026	FY 2027
Local Government	Unknown to (Unknown)	Unknown to (Unknown)	Unknown to (Unknown)

FISCAL ANALYSIS

ASSUMPTION

§§488.040 & 494.455 – Compensation of Jurors

Officials from the **Office of the State Courts Administrator (OSCA)** assume the proposed legislation modifies provisions relating to the compensation of jurors. Section 494.455 states that in any county, or city not within a county, upon adoption by a majority vote of the court en banc of the circuit, no grand or petit juror shall receive compensation for the first two days of service but shall receive fifty dollars per day for the third day and each subsequent day he or she may serve. These funds are to be paid by the county. It is unknown how many counties will participate and the increase may result in an unknown cost or savings to the state or county. Section 494.455 also ties the juror mileage rate to the mileage rate as provided by law for state employees (rather than seven cents per mile).

Officials from **Cole County** state their county is the venue for the Monsanto Roundup cases. As of Tuesday, February 20, 2024 there were 17,945 cases filed. Cole County recently had one jury trial for 3 plaintiffs. It went over 4 weeks and had 14 jurors. At the proposed \$700 a day for 20 days (at least), this would cost Cole County \$14,000 per trial. That was just the first Monsanto case. Currently, Cole County's share of juror pay is \$12.00/day, so an increase to \$50.00/day would have a significant fiscal impact.

Officials from the **Department of Labor and Industrial Relations** and the **Office of Administration** each assume the proposal will have no fiscal impact on their respective organizations. **Oversight** does not have any information to the contrary. Therefore, Oversight will reflect a zero impact in the fiscal note for these agencies.

Oversight notes §488.040 is removing language and clarifying the statute to follow the language in §494.455. Oversight notes the compensation for jurors will remain the same as outlined in §494.455, however, this proposal is increasing the mileage compensation from 7 cents per mile to the state employee rate as outlined in §33.095 (currently 65 ½ cents per mile). Because of the increased rate, Oversight will, therefore, reflect an unknown cost to circuit funds.

Oversight also notes subsection 3 is being removed in §494.455 and is adding clarifying language stating, "by majority vote, the court en banc of a judicial circuit may adopt a system for juror compensation in a city not within a county or a county within a circuit", where a petit or grand juror can receive \$50 per day starting on the third day and each subsequent day of actual service plus the mileage rate per §33.095 for a state employee provided that no compensation for the first two days is received. Oversight is unsure how many county circuits would participate and if the increase in compensation would result in an unknown cost or savings to the state or county. Therefore, Oversight will reflect a \$0 (no adoption by court en banc) or unknown cost or savings to General Revenue and county circuits for this proposal.

<u>FISCAL IMPACT – State Government</u>	FY 2025 (10 Mo.)	FY 2026	FY 2027
GENERAL REVENUE			
<u>Cost/Savings</u> – OSCA – potential adoption of new compensation method for jurors by circuits §494.455	<u>\$0 or Unknown to (Unknown)</u>	<u>\$0 or Unknown to (Unknown)</u>	<u>\$0 or Unknown to (Unknown)</u>
ESTIMATED NET EFFECT ON GENERAL REVENUE	<u>\$0 or Unknown to (Unknown)</u>	<u>\$0 or Unknown to (Unknown)</u>	<u>\$0 or Unknown to (Unknown)</u>

<u>FISCAL IMPACT – Local Government</u>	FY 2025 (10 Mo.)	FY 2026	FY 2027
COUNTY CIRCUITS AND ST. LOUIS CIRCUIT			
<u>Cost/Savings</u> – potential adoption of new compensation method for jurors by circuits §494.455	<u>\$0 or Unknown to (Unknown)</u>	<u>\$0 or Unknown to (Unknown)</u>	<u>\$0 or Unknown to (Unknown)</u>
<u>Cost</u> – increased mileage rate for jurors following §33.095 for state employees §494.455	<u>(Unknown)</u>	<u>(Unknown)</u>	<u>(Unknown)</u>
ESTIMATED NET EFFECT ON COUNTY CIRCUITS AND ST. LOUIS CIRCUIT FUNDS	<u>Unknown to (Unknown)</u>	<u>Unknown to (Unknown)</u>	<u>Unknown to (Unknown)</u>

FISCAL IMPACT – Small Business

No direct fiscal impact to small businesses would be expected as a result of this proposal.

FISCAL DESCRIPTION

Currently, a juror shall receive seven cents per mile to and from his or her place of residence and the courthouse. This act modifies the mileage rate of jurors to the mileage rate of state employees, which is currently provided at sixty-five and half cents.

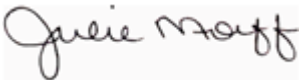
Current law also provides that grand or petit jurors in certain counties, including in Clay and Greene, shall not receive compensation for the first two days of service, but shall receive fifty

dollars with seven cents per mile for the third and any subsequent days that the juror actually serves. This act provides that the circuit court may adopt for each county or for the City of St. Louis a system of juror compensation that provides grand or petit jurors to receive no compensation on the first two days of actual service, but receive fifty dollars with the state employee mileage rate for the third and any subsequent days of actual service.


This legislation is not federally mandated, would not duplicate any other program and would not require additional capital improvements or rental space.

SOURCES OF INFORMATION

Office of the State Courts Administrator
Cole County
Department of Labor and Industrial Relations
Office of Administration



Julie Morff
Director
February 23, 2024



Ross Strobe
Assistant Director
February 23, 2024