

SENATE BILL NO. 65—SENATOR RHOADS

FEBRUARY 16, 2005

Referred to Committee on Judiciary

SUMMARY—Revises provisions governing compensation of jurors. (BDR 1-540)

FISCAL NOTE: Effect on Local Government: May have Fiscal Impact.
Effect on the State: No.

~

EXPLANATION – Matter in *bolded italics* is new; matter between brackets ~~omitted material~~ is material to be omitted.

AN ACT relating to juries; revising the provisions governing the compensation of jurors; and providing other matters properly relating thereto.

Legislative Counsel's Digest:

Existing law specifies the fees and expenses to be paid to a person summoned for jury selection and to a person who serves as a grand juror or a trial juror in the district court and justice's court. (NRS 6.150)

This bill reduces the fee paid to a person summoned for jury selection from \$40 to \$9 for each day he is in attendance in response to the summons. This bill reduces the fee paid to a person who serves as a juror from \$40 for each day of service to \$15 a day, or \$30 a day after 5 days, as payment for each day of service.

This bill changes the travel allowance from 36.5 cents per mile to 20 cents a mile for a person summoned for jury selection and for a person who serves as a juror. A board of county commissioners may instead provide a travel allowance that equals the allowance provided for state officers and employees using a private vehicle. This bill also reduces from 65 miles to 60 miles the distance a person must live from a court to qualify to receive an allowance for lodging.

THE PEOPLE OF THE STATE OF NEVADA, REPRESENTED IN
SENATE AND ASSEMBLY, DO ENACT AS FOLLOWS:

Section 1. NRS 6.150 is hereby amended to read as follows:

6.150 1. Each person summoned to attend as a grand juror or a trial juror in the district court or justice's court, *unless on or before the day he is summoned to attend he is excused by the court at his own request from serving*, is entitled to a fee of ~~[\$40]~~ \$9 for each day ~~{after the second day of jury selection}~~ that he is in



1 attendance in response to the venire or summons, including Sundays
2 and holidays.

3 2. Each grand juror and trial juror in the district court or
4 justice's court actually sworn and serving is entitled to a fee of ~~[\$40]~~
5 **\$15 a day , or \$30 a day after 5 days**, as compensation for each day
6 of service.

7 3. In addition to the fees specified in subsections 1 and 2, a
8 board of county commissioners may provide that, for each day of
9 such attendance or service, each person is entitled to be paid a per
10 diem allowance in an amount equal to the allowance for meals
11 provided for state officers and employees generally while away
12 from the office and within this State pursuant to subsection 1 of
13 NRS 281.160.

14 4. ~~[Each]~~ **Except as otherwise provided in this section, each**
15 person summoned to attend as a grand juror or a trial juror in the
16 district court or justice's court and each grand juror and trial juror in
17 the district court or justice's court is entitled to receive ~~[36.5]~~ **20**
18 cents a mile for each mile necessarily and actually traveled ~~[if the~~
19 ~~home of the person summoned or serving as a juror is 65 miles or~~
20 ~~more from the place of trial.]~~ **by the shortest and most practical**
21 **route. A board of county commissioners may provide that, for each**
22 **mile so traveled, the person is entitled to be paid an amount equal**
23 **to the allowance for travel by private conveyance provided for state**
24 **officers and employees generally pursuant to subsection 3 of NRS**
25 **281.160. Where the mileage does not exceed 1 mile, an allowance**
26 **must not be made for that mileage pursuant to this subsection.**

27 5. If the home of a person summoned or serving as such a juror
28 is ~~[65]~~ **60** miles or more from the place of trial and the selection,
29 inquiry or trial lasts more than 1 day, he is entitled to receive an
30 allowance for lodging at the rate provided by law for state
31 employees, in addition to his daily compensation for attendance or
32 service, for each day on which he does not return to his home.

33 6. In civil cases, any fee, per diem allowance or other
34 compensation due each juror engaged in the trial of the cause must
35 be paid each day in advance to the clerk of the court, or the justice
36 of the peace, by the party who has demanded the jury. If the party
37 paying this money is the prevailing party, the money is recoverable
38 as costs from the losing party. If the jury from any cause is
39 discharged in a civil action without finding a verdict and the party
40 who demands the jury subsequently obtains judgment, the money so
41 paid is recoverable as costs from the losing party.

42 7. The money paid by a county clerk to jurors for their services
43 in a civil action or proceeding, which he has received from the party
44 demanding the jury, must be deducted from the total amount due



- 1 them for attendance as such jurors, and any balance is a charge
- 2 against the county.
- 3 **Sec. 2.** This act becomes effective on July 1, 2005.



