

Stricken language would be deleted from and underlined language would be added to the law as it existed prior to this session of the General Assembly.

1 State of Arkansas
2 86th General Assembly
3 Regular Session, 2007
4

As Engrossed: S2/22/07

A Bill

SENATE BILL 239

5 By: Senator Luker
6 By: Representatives D. Johnson, Bond, E. Brown, Harrelson, Pate, Wills, Wood
7

For An Act To Be Entitled

10 AN ACT TO RECOGNIZE, HONOR, AND PROTECT ARKANSAS
11 CITIZENS WHO ARE SUMMONED TO SERVE AS JURORS IN
12 ARKANSAS STATE COURTS; TO INCREASE THE RATE OF
13 JUROR COMPENSATION; TO REIMBURSE COUNTIES FOR THE
14 COSTS OF JURIES; AND FOR OTHER PURPOSES.

Subtitle

16 AN ACT TO RECOGNIZE, HONOR, AND PROTECT
17 ARKANSAS CITIZENS WHO ARE SUMMONED TO
18 SERVE AS JURORS IN ARKANSAS STATE
19 COURTS; TO INCREASE THE RATE OF JUROR
20 COMPENSATION; AND TO REIMBURSE COUNTIES
21 FOR THE COSTS OF JURIES.
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25 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:
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27 SECTION 1. Effective January 1, 2008, Arkansas Code §§ 16-34-101 and
28 16-34-102 are repealed.

29 ~~16-34-101. Exceptions.~~

30 ~~The provisions of §§ 16-34-102, 16-34-104, and 16-34-105 shall not~~
31 ~~apply to Fulton County and Izard County.~~

32
33 ~~16-34-102. Compensation and reimbursement generally.~~

34 ~~(a) Jurors' compensation and mileage shall be taxed as cost and paid~~
35 ~~by the unsuccessful party.~~

36 ~~(b) Jurors who leave home and attend any court in pursuance of a~~



1 ~~summons shall be allowed the sum necessarily paid out for crossing any ferry~~
2 ~~or toll bridge in going to and returning from such court.~~

3 ~~(e) The clerk shall give to each petit juror a certificate of his~~
4 ~~attendance and services as such juror.~~

5 ~~(d) Any person who attends any court in this state as a juror in~~
6 ~~obedience to a summons, except people who are summoned among the bystanders~~
7 ~~at the court, and is from any cause not accepted on the jury shall receive~~
8 ~~the same fees for each day's attendance until excused or discharged as are~~
9 ~~allowed jurors in the court.~~

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11 *SECTION 2. Effective January 1, 2008, Arkansas Code § 16-34-103 is*
12 *amended to read as follows:*

13 *16-34-103. Per diem fees compensation for jurors and prospective*
14 *jurors.*

15 *(a) Persons Except as provided in subsection (b) of this section,*
16 *persons whose names appear on any legal and authorized grand jury or petit*
17 *jury list of the respective counties of Arkansas shall receive in addition to*
18 *any other fees allowable by law the following per diem fees compensation:*

19 *(1) When the person fails for any reason to attend court, none;*

20 *(2) When the person attends court and is excused by the court*
21 *for any reason from serving as a juror, a minimum of fifteen dollars*
22 *(\$15.00); and*

23 *(3) When the person has been sworn touching his or her*
24 *qualifications to serve as a juror and has been accepted by the court as*
25 *qualified, a minimum fee of thirty-five dollars (\$35.00).*

26 *(b)(1) Subject to an appropriation and adequate funding for the*
27 *purpose of § 16-34-106, any person who receives official notice that he or*
28 *she has been selected as a prospective juror or who is chosen as a juror is*
29 *eligible to receive per diem compensation for service if:*

30 *(A) The person actually appears at the location to which*
31 *the juror or prospective juror was summoned; and*

32 *(B) The person's appearance is duly noted by the circuit*
33 *clerk.*

34 *(2) The per diem compensation payable to any person who is*
35 *eligible for payment under this subsection (b) is forty dollars (\$40.00) per*
36 *day.*

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2 SECTION 3. Effective January 1, 2008, Arkansas Code § 16-34-104 is
3 amended to read as follows:

4 16-34-104. ~~Mileage of unaccepted~~ reimbursement for jurors.

5 (a) Any Except as provided in subsection (b) of this section, any
6 person who attends any court of record in the State of Arkansas as a juror in
7 obedience to a summons, except such persons as are summoned among the
8 bystanders at the court, and who for any cause is not accepted on the jury
9 shall receive, in addition to the per diem compensation, a mileage
10 reimbursement payment for mileage from and to his or her home by the most
11 direct and practicable route at a rate to be prescribed by the quorum court
12 of the county, but this rate is not to exceed the rate prescribed for state
13 employees in state travel regulations.

14 (b) Subject to an appropriation and adequate funding for the purpose
15 of § 16-34-106, any person who is eligible to receive per diem compensation
16 under § 16-34-103(b) and whose primary place of residence is outside the city
17 limits of the city where the court that summoned the juror or prospective
18 juror is located shall receive, in addition to the per diem compensation, a
19 mileage reimbursement payment for mileage from and to his or her home by the
20 most direct and practicable route at the rate prescribed for state employees
21 in state travel regulations.

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23 SECTION 4. Effective January 1, 2008, Arkansas Code § 16-34-105 is
24 repealed.

25 ~~16-34-105. Account for mileage.~~

26 ~~Every account for mileage for jurors shall be made out at the same time~~
27 ~~and in the same manner as their per diem account is now made.~~

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29 SECTION 5. Effective January 1, 2008, Arkansas Code Title 16, Chapter
30 34, Subchapter 1 is amended to add an additional section to read as follows:

31 16-34-106. Payment by county - Reimbursement by state.

32 (a) Subject to an appropriation and to the extent that funding is
33 available for reimbursement under subsection (b) of this section, the per
34 diem compensation under § 16-34-103(b) and the mileage reimbursement under §
35 16-34-104(b) shall be paid promptly to each juror or prospective juror by a
36 county from funds appropriated for that purpose by the quorum court.

1 (b)(1) The state shall reimburse a county for costs incurred for a
2 payment under subsection (a) of this section if the county makes a request
3 under subdivision (b)(3) of this section.

4 (2) The Administrative Office of the Courts shall administer the
5 state reimbursement to a county under subdivision (b)(1) of this section.

6 (3) A county may request reimbursement for costs incurred for a
7 payment under subsection (a) of this section on a quarterly basis as follows:

8 (A) On or before May 1 of each year for costs incurred
9 between January 1 and March 31 of that year;

10 (B) On or before August 1 of each year for costs incurred
11 between April 1 and June 30 of that year;

12 (C) On or before December 1 of each year for costs
13 incurred between July 1 and September 30 of that year; and

14 (D) On or before February 1 of each year for costs
15 incurred between October 1 and December 31 of the prior year.

16 (4) The Administrative Office of the Courts shall consult with
17 the Division of Legislative Audit and shall prescribe the information that
18 shall be documented and certified by a county in order to receive
19 reimbursement under subdivision (b)(1) of this section.

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21 */s/ Luker*
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