

HOUSE BILL REPORT

SSB 6261

As Passed House:

March 4, 2004

Title: An act relating to payments to jurors.

Brief Description: Modifying juror payment provisions.

Sponsors: By Senate Committee on Judiciary (originally sponsored by Senators B. Sheldon, Oke and T. Sheldon).

Brief History:

Committee Activity:

Judiciary: 2/20/04, 2/26/04 [DP].

Floor Activity:

Passed House: 3/4/04, 94-0.

Brief Summary of Substitute Bill

- Amends the juror compensation statute to change references to "compensation" to references to "expense payments."

HOUSE COMMITTEE ON JUDICIARY

Majority Report: Do pass. Signed by 9 members: Representatives Lantz, Chair; Moeller, Vice Chair; Carrell, Ranking Minority Member; McMahan, Assistant Ranking Minority Member; Campbell, Flannigan, Kirby, Lovick and Newhouse.

Staff: Edie Adams (786-7180).

Background:

The rate of pay for jurors is set by state law. Jurors must be paid at least \$10 per day, and may be paid up to \$25 per day, as determined by the local jurisdiction. Local jurisdictions bear the cost of paying jurors. Jurors also receive reimbursement for mileage at the rate set for state officials and employees by the Director of the Office of Financial Management.

State law requires an employer to provide an employee with a leave of absence when the

employee is summoned for jury service. An employer may not fire an employee, threaten or harass an employee, or deny an employee a promotional opportunity because the employee responds to a jury summons or serves as a juror.

Under Department of Personnel administrative rules, a state employee is allowed to take paid "miscellaneous leave" in order to serve as a juror or perform other civil duties. An employee using paid miscellaneous leave for jury service is allowed to retain any compensation paid for the jury service. However, an administrative rule that applies to personnel of higher education institutions provides that an employee of a higher education institution must reimburse the institution for all compensation received for the jury service, except for incurred expenses.

Under federal law, a federal employee is entitled to paid leave in order to serve as a juror. The amount of juror compensation received by the employee must be credited against the employee's pay.

Summary of Bill:

The juror compensation statute is amended to change references to juror "compensation" to references to juror "expense payments."

Appropriation: None.

Fiscal Note: Not requested.

Effective Date: The bill takes effect 90 days after adjournment of session in which bill is passed.

Testimony For: This is a straightforward bill that will save the federal government some money and allow federal employees to keep their juror compensation. Currently, when a federal employee serves on a jury, the amount of juror compensation received by the employee must be credited against his or her salary. The time and expense of processing this reimbursement is about \$65 for a \$10 juror compensation reimbursement. Changing the word "compensation" to "expense payment" will avoid the hassle and costs currently incurred.

Testimony Against: None.

Persons Testifying: Senator Sheldon, prime sponsor.

Persons Signed In To Testify But Not Testifying: None.