

LEGISLATIVE BUDGET BOARD

Austin, Texas

FISCAL NOTE, 79TH LEGISLATIVE REGULAR SESSION

April 26, 2005

TO: Honorable Jeff Wentworth, Chair, Senate Committee on Jurisprudence

FROM: John S. O'Brien, Deputy Director, Legislative Budget Board

IN RE: SB1704 by Ellis (Relating to jury service.), **As Introduced**

No fiscal implication to the State is anticipated.

The bill would amend Chapters 61 and 62, Government Code, by changing the reimbursement rate for grand and petit jurors from the current "not less than \$6 nor more than \$50 per day" to a minimum of no less than \$40 for each day served. In addition, the procedure for requesting postponement of jury service would be amended, and providing false information in a request for an exemption or to be excused from jury service would be subject to a fine of not less than \$100 nor more than \$1,000.

Local Government Impact

The fiscal impact would vary by county. In a county in which \$40 or more is being paid to each juror for each day or portion of a day for which the person served, there would be no fiscal impact. However, according to 2002 data from the Office of Court Administration, there were only 4 out of the 254 counties that were paying \$40 per day for jury service.

For a county currently paying the minimum of \$6 per day, the increase to \$40 would be significant. For example, Tarrant County (population 1.4 million) reports that jurors serving three days or less are paid \$6 per day, and if their service is required beyond three days, the pay increases to \$10 per day. In 2004, the county had 77,784 jurors who served. If the jurors each served just one day, under the proposed increase in pay, the county would see an increase from \$466,704 to \$3.1 million annually, an increase of approximately \$2.6 million.

Harris County (population 3.4 million) pays from \$6 to \$12.50 per day and estimates the increase in jury pay would be about \$6 million annually.

Williamson County (population 249,967) pays jurors \$6 per day. The county estimates costs would increase by \$75,000 per year at the \$40 per day rate. Bexar County also pays \$6 per day and estimates there would be an increase in its costs of over \$2.2 million.

Travis County (population 812,280) pays jurors \$10 per day. The county estimates costs would increase an additional \$925,000 annually at the proposed higher jury rate.

Hidalgo County (population 569,463) pays jurors \$16 per day. Based on the number of juror days in fiscal year 2004, the county would see an increase in juror pay from \$576,160 to \$1.4 million, an increase of approximately \$864,000.

Fort Bend County (population 354,452) pays jurors \$30 per day of service; an increase to \$40 would result in an annual increase in juror pay of \$47,030.

Source Agencies: 212 Office of Court Administration, Texas Judicial Council, 304 Comptroller of Public Accounts

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