



H.B. 29

125th General Assembly
(As Introduced)

Reps. Jerse, McGregor, Widowfield, Hartnett, Miller, DePiero, Sferra, Perry, S. Patton, Willamowski, D. Stewart, Husted, J. Stewart, Jolivette, Seitz, Core, Williams, Grendell, Redfern

BILL SUMMARY

- Eliminates the maximum of four days or parts thereof on the amount of jury fees that may be taxed as costs in a civil action.

CONTENT AND OPERATION

Existing law

Current law generally requires that in any civil action in a court of common pleas in which a jury is sworn, the fees of the jurors sworn must be taxed as costs unless the court determines that the payment of the fees by a party against whom they are proposed to be taxed would cause significant financial hardship to that party or would not be in the interest of justice. (See **COMMENT.**) The following are the exceptions to this requirement (R.C. 2335.28(A), (B), and (E)):

(1) If a civil action in a court of common pleas is settled after jurors are sworn, the fees of the jurors sworn must be paid in accordance with the settlement agreement. If the agreement does not provide for the payment of the fees, the court must order that the fees be paid by any party, allocated among the parties, or paid by the county. In making this determination, the court must consider whether the payment of the fees by a party against whom they are proposed to be taxed would cause significant financial hardship to that party or would not be in the interest of justice.

(2) Jury fees must be taxed as costs for each day or part of a day that a sworn juror serves, *up to a maximum of four days or parts thereof.*

Operation of the bill

The bill eliminates the *maximum of four days or parts thereof* on the amount of jury fees that may be taxed as costs in a civil action (R.C. 2335.28(E)).

COMMENT

Upon receipt of fees taxed as costs or paid in accordance with a settlement agreement, the clerk of the court must pay the fees to the county treasurer to be deposited in the county treasury. If any juror serves on more than one jury on the same day, the court must tax the juror's jury fees for that day as costs equally among the parties who are required to pay the fees either as determined by the court or pursuant to a settlement agreement. (R.C. 2335.28(C) and (D).)

HISTORY

ACTION	DATE	JOURNAL ENTRY
Introduced	02-03-03	p. 84

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