

Fiscal Note & Local Impact Statement

122nd General Assembly of Ohio

BILL: Am. S.B. 69

DATE: July 2, 1997

STATUS: As Recommended by the Senate Civil
Justice Subcommittee

SPONSOR: Sen. B. Johnson

LOCAL IMPACT STATEMENT REQUIRED: No — Local cost was in the introduced version

CONTENTS: Eliminates all exemptions for jury service and allows for an increase to the compensation of jurors and grand jurors

State Fiscal Highlights

- No direct fiscal effect on the state.

Local Fiscal Highlights

- No direct fiscal effect on local governments.
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Detailed Fiscal Analysis

The bill has two main provisions that will potentially affect the jury system throughout the state. First, the bill removes all existing exemptions from serving as either a juror or a grand juror. Second, the bill increases the amount that counties can compensate jurors for each day of attendance. The bill has no direct or indirect fiscal effect on the state. However, the amended version of the bill removes the proposed local requirement that counties pay at least \$40 for each additional day of actual jury service over ten days.

The bill removes the current jury service exemption for cloistered members of religious organizations. All the exemptions from jury service would be eliminated. This reflects the recommendations made to the General Assembly by the Chief Justice of the Ohio Supreme Court, Thomas Moyer, in his 1997 address on the state of the judiciary. However, the amended bill creates a new excuse in §2313.16 of the O.R.C that effectively exempts cloistered members of religious organizations from serving on juries. This should increase the potential juror pool and provide a depth of experience that has been unseen in recent times. The number of jurors necessary for proceedings remains the same, so the increase in supply will not have a fiscal effect.



Under current law, each county's board of commissioners sets juror's daily compensation rate at an amount not to exceed fifteen dollars. After ten days, this amount is fixed at not less than fifteen dollars. The bill is permissive in that the commissioners can increase daily compensation up to forty dollars per day for the first ten days of service for a juror. A grand juror will be allowed up to \$40 a day. After ten days the amount for a juror would become the greater of either fifteen dollars or 1.5 times the rate established for the first ten days. The fiscal effect to the county is within the control of the county's board of commissioners. If the bill is enacted, then counties could chose to increase their pay rate and thus increase their costs. The enacted bill would not require any county to spend more than what is currently expended. A county could be required to spend more for service over ten days, but this could be negated if the county chose to lower it's base pay for jurors.

Ultimately, the bill allows county's to establish compensation for jurors in a range that is broader than currently available under the revised code without restrictions that impose high costs upon the localities.

□ *LBO staff: Corey C. Schaal, Budget/Policy Analyst*

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