

Department of Legislative Services
 Maryland General Assembly
 2022 Session

FISCAL AND POLICY NOTE
Third Reader

Senate Bill 775

(Senator Carter)

Judicial Proceedings

Judiciary

Courts - Payment for Jury Service

This bill increases, from \$15 to \$30, the basic State per diem for jury service and the per diem for trial jurors for the first five days of jury service.

Fiscal Summary

State Effect: General fund expenditures increase by approximately \$3.2 million in FY 2023 and by \$4.3 million annually thereafter. Revenues are not affected.

(\$ in millions)	FY 2023	FY 2024	FY 2025	FY 2026	FY 2027
Revenues	\$0	\$0	\$0	\$0	\$0
GF Expenditure	3.2	4.3	4.3	4.3	4.3
Net Effect	(\$3.2)	(\$4.3)	(\$4.3)	(\$4.3)	(\$4.3)

Note:() = decrease; GF = general funds; FF = federal funds; SF = special funds; - = indeterminate increase; (-) = indeterminate decrease

Local Effect: Initial increase in local expenditures due to the increase in the juror per diem, but the monies are recouped upon payment by the State.

Small Business Effect: None.

Analysis

Current Law: An individual is entitled to a State per diem of \$15, along with any county supplement, for each day that an individual is required to be in attendance at or proximity to a circuit court for a county for jury service. A trial juror is entitled to a State per diem of \$15 for the first five days of jury service in one trial, and a State per diem of \$50 for each day of jury service in one trial in excess of five days. (The bill does not alter this \$50 per diem for trials lasting longer than five days).

The government of each county must appropriate for each fiscal year the amount needed to pay the State per diem, pending reimbursement by the Administrative Office of the Courts, and the county supplement, if any. The State budget for the Judicial Branch for each fiscal year must include an appropriation in the amount needed for the State per diem during the year.

State/Local Fiscal Effect: General fund expenditures increase by \$3,249,000 in fiscal 2023, which accounts for the bill's October 1, 2022 effective date, and by \$4,332,000 annually thereafter. This estimate is based on information provided by the Judiciary regarding juror payments in fiscal 2019 (the last full fiscal year unaffected by COVID-19 and its impact on court operations) and assumes that the number of jurors used per fiscal year remains constant.

Local government expenditures initially increase for juror payments relating to the State per diem costs; however, the monies are reimbursed by the State. Although some local governments currently provide a county supplement to the State per diem in order to increase the total payment for jurors, this analysis does not assume any decrease in expenditures for the county supplements in response to the increase in the State per diem.

Additional Information

Prior Introductions: HB 607 of 2016, a similar bill, received an unfavorable report from the House Judiciary Committee. Similar bills were also introduced in 2008 and 2007.

Designated Cross File: HB 208 (Delegate Moon, *et al.*) - Judiciary.

Information Source(s): Judiciary (Administrative Office of the Courts); Department of Legislative Services

Fiscal Note History: First Reader - February 24, 2022
js/jkb Third Reader - March 19, 2022

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