

Second Regular Session  
Seventy-first General Assembly  
STATE OF COLORADO

INTRODUCED

LLS NO. 18-1101.04 Jerry Barry x4341

SENATE BILL 18-212

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SENATE SPONSORSHIP

Martinez Humenik, Todd

HOUSE SPONSORSHIP

(None),

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Senate Committees  
Judiciary

House Committees

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A BILL FOR AN ACT

101 CONCERNING AN INCREASE IN THE AMOUNT OF COMPENSATION TO  
102 JURORS.

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Bill Summary

*(Note: This summary applies to this bill as introduced and does not reflect any amendments that may be subsequently adopted. If this bill passes third reading in the house of introduction, a bill summary that applies to the reengrossed version of this bill will be available at <http://leg.colorado.gov>.)*

Under current law, trial and grand jurors are entitled to compensation up to \$50 per day. The bill increases the amount of compensation to up to a daily maximum of the state minimum wage plus \$1, times 8 hours.

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Shading denotes HOUSE amendment. Double underlining denotes SENATE amendment.  
Capital letters or bold & italic numbers indicate new material to be added to existing statute.  
Dashes through the words indicate deletions from existing statute.

1 *Be it enacted by the General Assembly of the State of Colorado:*

2 **SECTION 1.** In Colorado Revised Statutes, **amend** 13-71-126 as  
3 follows:

4 **13-71-126. Compensation of employed jurors during first**  
5 **three days of service - definition.** (1) All regularly employed trial or  
6 grand jurors ~~shall~~ MUST be paid regular wages, but not to exceed ~~fifty~~  
7 ~~dollars~~ THE AMOUNT ESTABLISHED IN SUBSECTION (2)(a) OF THIS SECTION  
8 per day unless by mutual agreement between the employee and employer,  
9 by their employers for the first three days of juror service, or any part  
10 thereof. Regular employment ~~shall include~~ INCLUDES part-time,  
11 temporary, and casual employment if the employment hours may be  
12 determined by a schedule, custom, or practice established during the  
13 three-month period preceding the juror's term of service.

14 (2) (a) THE WAGE FOR A REGULARLY EMPLOYED TRIAL OR GRAND  
15 JUROR SHALL NOT EXCEED THE FOLLOWING:

16  $(\$1.00 + \text{THE STATE MINIMUM HOURLY WAGE}) \times 8.$

17 (b) AS USED IN SUBSECTION (2)(a) OF THIS SECTION, "STATE  
18 MINIMUM HOURLY WAGE" MEANS THE AMOUNT ESTABLISHED PURSUANT  
19 TO SECTION 15 OF ARTICLE XVIII OF THE STATE CONSTITUTION, IN EFFECT  
20 AT THE TIME OF THE JUROR SERVICE.

21 **SECTION 2.** In Colorado Revised Statutes, **amend** 13-71-127 as  
22 follows:

23 **13-71-127. Financial hardship of employer or self-employed**  
24 **juror.** The court shall excuse an employer or a self-employed juror from  
25 the duty of compensation for trial or grand juror service upon a finding  
26 that it would cause financial hardship. When such a finding is made, a  
27 juror shall receive reasonable compensation in lieu of wages from the

1 state for the first three days of juror service or any part thereof. Such  
2 award shall not exceed ~~fifty dollars~~ THE AMOUNT ESTABLISHED IN SECTION  
3 13-71-126 (2)(a) per day of juror service. A court hearing on an  
4 employer's extreme financial hardship shall occur no later than thirty days  
5 after the tender of the juror service acknowledgment information to the  
6 employer. The request for a court hearing shall be made in writing to the  
7 jury commissioner.

8 **SECTION 3.** In Colorado Revised Statutes, **amend** 13-71-128 as  
9 follows:

10 **13-71-128. Reimbursement of unemployed jurors during first**  
11 **three days of service.** Each trial or grand juror who is unemployed may  
12 apply to the jury commissioner on the first day of juror service and ~~shall~~  
13 MUST be reimbursed by the state for reasonable travel, child care, and  
14 other necessary out-of-pocket expenses, except food, for the first three  
15 days of juror service or any part thereof. The state court administrator  
16 shall establish guidelines for the reimbursement of unemployed trial and  
17 grand jurors. No award for an unemployed juror shall exceed ~~fifty dollars~~  
18 THE AMOUNT ESTABLISHED IN SECTION 13-71-126 (2)(a) per day of juror  
19 service, and the court shall approve, prior to reimbursement, any award  
20 ~~which~~ THAT is outside the guidelines. Any juror who is not regularly  
21 employed, including, but not limited to, retired persons, homemakers,  
22 students, unemployed persons, and persons receiving unemployment  
23 benefits, ~~shall be~~ ARE entitled to reimbursement under this section. Juror  
24 service ~~shall~~ MUST not cause a person to lose unemployment benefits.

25 **SECTION 4.** In Colorado Revised Statutes, **amend** 13-71-129 as  
26 follows:

27 **13-71-129. Compensation of jurors after first three days of**

1 **service.** The state shall pay each trial or grand juror who serves more than  
2 three days for the fourth day of service and each day thereafter at the rate  
3 of ~~fifty dollars~~ THE AMOUNT ESTABLISHED IN SECTION 13-71-126 (2)(a)  
4 per day. A trial or grand juror receiving payment under this section shall  
5 IS not ~~be~~ entitled to additional reimbursement for travel or other  
6 out-of-pocket expenses.

7 **SECTION 5. Act subject to petition - effective date -**  
8 **applicability.** (1) This act takes effect September 1, 2018; except that,  
9 if a referendum petition is filed pursuant to section 1 (3) of article V of  
10 the state constitution against this act or an item, section, or part of this act  
11 within the ninety-day period after final adjournment of the general  
12 assembly, then the act, item, section, or part will not take effect unless  
13 approved by the people at the general election to be held in November  
14 2018 and, in such case, will take effect on the date of the official  
15 declaration of the vote thereon by the governor.

16 (2) This act applies to juror service on or after the applicable  
17 effective date of this act.