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SENATE BILL 271

49TH LEGISLATURE - STATE OF NEW MEXICO - FIRST SESSION, 2009

INTRODUCED BY

Sue Wilson Beffort

AN ACT

RELATING TO COURTS; PROVIDING FOR JUROR COMPENSATION; DECLARING AN EMERGENCY.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF NEW MEXICO:

Section 1. Section 35-8-7 NMSA 1978 (being Laws 1991, Chapter 82, Section 13) is amended to read:

"35-8-7. MAGISTRATE CIVIL JURY FEES.--

A. In each action in the magistrate court in which a jury is summoned, persons summoned for jury service and jurors shall be compensated for their ~~[time in travel]~~ attendance and service at the ~~[highest prevailing minimum wage]~~ rate of ten dollars (\$10.00) a day for two hours or less, twenty dollars (\$20.00) a day for more than two hours and up to four hours and forty dollars (\$40.00) a day for more than four hours.

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1 B. Those persons shall also be reimbursed for
2 travel from their place of actual residence to the court at the
3 rate allowed public officers and employees per mile of
4 necessary travel pursuant to the Per Diem and Mileage Act if:

- 5 (1) their attendance is ordered; and
6 (2) the travel required to and from their
7 residence is more than fifteen miles.

8 C. Those costs shall be charged against the party
9 requesting the jury in a civil action, though no costs shall be
10 charged against the state. All costs collected by the
11 magistrate under this section shall be remitted to the
12 administrative office of the courts, and all jurors shall be
13 paid by the state treasurer in the same manner as other
14 magistrate court expenses are paid."

15 Section 2. Section 38-5-15 NMSA 1978 (being Laws 1969,
16 Chapter 222, Section 15, as amended) is amended to read:

17 "38-5-15. MILEAGE AND COMPENSATION FOR JURORS.--Persons
18 summoned for jury service and jurors shall be reimbursed for
19 travel from their place of actual residence to the courthouse
20 when their attendance is ordered, at the rate allowed public
21 officers and employees per mile of necessary travel. Persons
22 summoned for jury service and jurors shall be compensated for
23 their [~~time in travel~~] attendance and service at the [~~highest~~
24 ~~prevailing state minimum wage~~] rate of ten dollars (\$10.00) a
25 day for two hours or less, twenty dollars (\$20.00) a day for

1 more than two hours and up to four hours and forty dollars
2 (\$40.00) a day for more than four hours."

3 Section 3. EMERGENCY.--It is necessary for the public
4 peace, health and safety that this act take effect immediately.

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