

Senate Bill No. 222—Senators D. Harris; Daly, Donate, Flores,
Ohrenschall, Pazina and Scheible

CHAPTER.....

AN ACT relating to juries; revising provisions governing the selection of jurors; increasing the fee to which a person summoned to attend as a juror or serve as a juror is entitled; making an appropriation to the Administrative Office of the Courts for the establishment of a connection to the information technology systems of the Department of Health and Human Services for certain purposes; and providing other matters properly relating thereto.

Legislative Counsel’s Digest:

Existing law: (1) authorizes a court to assign a jury commissioner to select trial jurors; and (2) requires a jury commissioner to select jurors from among the qualified electors of the county or city, as applicable, who are not exempt from jury duty. As part of the process for the selection of trial jurors, existing law requires a jury commissioner to compile and maintain a list of qualified electors from information provided by: (1) a list of persons who are registered to vote in the county; (2) the Department of Motor Vehicles; (3) the Employment Security Division of the Department of Employment, Training and Rehabilitation; and (4) certain public utilities. (NRS 6.045) **Section 6** of this bill requires the Department of Health and Human Services, upon the request of a district judge or jury commissioner, to provide a list of the names and addresses of persons who receive public assistance for use in jury selection. **Section 1** of this bill requires a jury commissioner to include the information provided by the Department of Health and Human Services pursuant to **section 6** in the list of qualified electors. **Section 6.7** of this bill makes an appropriation from the State General Fund to the Administrative Office of the Courts for the establishment of a connection to the information technology systems of the Department of Health and Human Services to carry out the provisions of **section 6**.

Existing law sets forth certain fees for attendance and travel allowances for jurors summoned or serving on a grand jury or trial jury. (NRS 6.150) **Section 2** of this bill increases, from \$40 to \$65, the fee to which a person summoned as a juror or serving as a grand juror or trial juror is entitled.

EXPLANATION – Matter in *bolded italics* is new; matter between brackets ~~omitted material~~ is material to be omitted.

THE PEOPLE OF THE STATE OF NEVADA, REPRESENTED IN
SENATE AND ASSEMBLY, DO ENACT AS FOLLOWS:

Section 1. NRS 6.045 is hereby amended to read as follows:

6.045 1. A court may by rule of court designate the clerk of the court, one of the clerk’s deputies or another person as a jury commissioner and may assign to the jury commissioner such administrative duties in connection with trial juries and jurors as the court finds desirable for efficient administration.



2. If a jury commissioner is so selected, the jury commissioner shall from time to time estimate the number of trial jurors which will be required for attendance on the designated court and shall select that number from the qualified electors of:

(a) The county; or

(b) The city whose population is 220,000 or more, for a municipal court,

↳ not exempt by law from jury duty, whether registered as voters or not. The jurors may be selected by computer whenever procedures to assure random selection from computerized lists are established by the jury commissioner.

3. The jury commissioner shall, for the purpose of selecting trial jurors, compile and maintain a list of qualified electors from information provided by:

(a) A list of persons who are registered to vote in the county or city, as applicable;

(b) The Department of Motor Vehicles pursuant to NRS 482.171 and 483.225;

(c) The Employment Security Division of the Department of Employment, Training and Rehabilitation pursuant to NRS 612.265; ~~and~~

(d) A public utility pursuant to NRS 704.206 ~~and~~; and

(e) The Department of Health and Human Services pursuant to section 6 of this act.

4. In compiling and maintaining the list of qualified electors, the jury commissioner shall avoid duplication of names.

5. The jury commissioner shall:

(a) Keep a record of the name, occupation, address and race of each trial juror selected pursuant to subsection 2;

(b) Keep a record of the name, occupation, address and race of each trial juror who appears for jury service; and

(c) Prepare and submit a report to the Court Administrator which must:

(1) Include statistics from the records required to be maintained by the jury commissioner pursuant to this subsection, including, without limitation, the name, occupation, address and race of each trial juror who is selected and of each trial juror who appears for jury service;

(2) Be submitted at least once a year; and

(3) Be submitted in the time and manner prescribed by the Court Administrator.

6. The jury commissioner shall not select the name of any person whose name was selected the previous year, and who



actually served on the jury by attending in court in response to the venire from day to day until excused from further attendance by order of the court, unless there are not enough other suitable jurors in the county or city to do the required jury duty.

7. A court may contract with another court for the purpose of procuring any administrative duties performed by a jury commissioner pursuant to this chapter.

Sec. 2. NRS 6.150 is hereby amended to read as follows:

6.150 1. Each person summoned to attend as a grand juror or a trial juror in the district court or justice court, or a trial juror in the municipal court, is entitled to a fee of ~~[\$40]~~ \$65 for each day after the second day of jury selection that the person is in attendance in response to the venire or summons, including Sundays and holidays.

2. Each grand juror and trial juror in the district court or justice court, or trial juror in the municipal court, actually sworn and serving is entitled to a fee of ~~[\$40]~~ \$65 a day as compensation for each day of service.

3. In addition to the fees specified in subsections 1 and 2, a board of county commissioners or governing body of a city may provide that, for each day of such attendance or service, each person is entitled to be paid the per diem allowance and travel expenses provided for state officers and employees generally.

4. Each person summoned to attend as a grand juror or a trial juror in the district court or justice court, or a trial juror in the municipal court, and each grand juror and trial juror in the district court or justice court, or trial juror in the municipal court, is entitled to receive 36.5 cents a mile for each mile necessarily and actually traveled if the home of the person summoned or serving as a juror is 30 miles or more from the place of trial.

5. If the home of a person summoned or serving as such a juror is 65 miles or more from the place of trial and the selection, inquiry or trial lasts more than 1 day, the person is entitled to receive an allowance for lodging at the rate established for state employees, in addition to his or her daily compensation for attendance or service, for each day on which the person does not return to his or her home.

6. In civil cases, any fee, per diem allowance, travel expense or other compensation due each juror engaged in the trial of the cause must be paid each day in advance to the clerk of the court, or the justice of the peace, by the party who has demanded the jury. If the party paying this money is the prevailing party, the money is recoverable as costs from the losing party. If the jury from any cause is discharged in a civil action without finding a verdict and the party



who demands the jury subsequently obtains judgment, the money so paid is recoverable as costs from the losing party.

7. The money paid by the clerk of the court to jurors for their services in a civil action or proceeding, which the clerk of the court has received from the party demanding the jury, must be deducted from the total amount due them for attendance as such jurors, and any balance is a charge against the county.

Secs. 3-5. (Deleted by amendment.)

Sec. 6. Chapter 422A of NRS is hereby amended by adding thereto a new section to read as follows:

1. Upon the request of a district judge or jury commissioner, the Department shall provide to the district judge or jury commissioner a list of the names and addresses of persons who receive public assistance for use in the selection of jurors pursuant to NRS 6.045.

2. A district judge or jury commissioner who requests the list of recipients pursuant to subsection 1 shall reimburse the Department for the reasonable cost of compiling the list.

Sec. 6.5. (Deleted by amendment.)

Sec. 6.7. 1. There is hereby appropriated from the State General Fund to the Administrative Office of the Courts the sum of \$20,000 for the establishment of a connection to the information technology systems of the Department of Health and Human Services to carry out the provisions of section 6 of this act.

2. Any remaining balance of the appropriation made by subsection 1 must not be committed for expenditure after June 30, 2025, by the entity to which the appropriation is made or any entity to which money from the appropriation is granted or otherwise transferred in any manner, and any portion of the appropriated money remaining must not be spent for any purpose after September 19, 2025, by either the entity to which the money was appropriated or the entity to which the money was subsequently granted or transferred, and must be reverted to the State General Fund on or before September 19, 2025.

Sec. 7. The provisions of NRS 354.599 do not apply to any additional expenses of a local government that are related to the provisions of this act.

Sec. 8. 1. This section becomes effective upon passage and approval.

2. Section 6.7 of this act becomes effective on July 1, 2023.

3. Sections 1 to 6.5, inclusive, and 7 of this act become effective:



- (a) Upon passage and approval for the purpose of adopting any regulations and performing any other preparatory administrative tasks that are necessary to carry out the provisions of this act; and
- (b) On January 1, 2024, for all other purposes.

