

By Senator Bracy

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1 A bill to be entitled
2 An act relating to juror service; amending s. 40.24,
3 F.S.; revising the rate of compensation for jurors;
4 requiring clerks of the circuit court to provide
5 quarterly estimates regarding juror compensation costs
6 to the Justice Administrative Commission; requiring
7 the commission to submit a request for payment to the
8 Chief Financial Officer upon receipt and endorsement
9 of the clerks' estimates; amending s. 913.08, F.S.;
10 prohibiting the use of peremptory challenges to strike
11 prospective jurors in criminal jury trials that
12 commence on or after a specified date; repealing Rule
13 3.350, Florida Rules of Criminal Procedure, relating
14 to peremptory challenges, to conform to changes made
15 by the act; requesting the Florida Supreme Court to
16 amend Rule 1.431(d), Florida Rules of Civil Procedure,
17 to prohibit the use of peremptory challenges in jury
18 selection for civil jury trials; providing an
19 effective date.

20
21 Be It Enacted by the Legislature of the State of Florida:

22
23 Section 1. Subsections (3) and (4) of section 40.24,
24 Florida Statutes, are amended, and subsection (9) is added to
25 that section, to read:

26 40.24 Compensation and reimbursement policy.—

27 (3) (a) Jurors who are regularly employed and who continue
28 to receive regular wages while serving as a juror are not
29 entitled to receive compensation from the clerk of the circuit

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30 court for the first 3 days of juror service.

31 (b) Jurors who are not regularly employed or who do not
32 continue to receive regular wages while serving as a juror are
33 entitled to receive \$30 ~~\$15~~ per day for the first 3 days of
34 juror service.

35 (4) Each juror who serves more than 3 days is entitled to
36 be paid by the clerk of the circuit court for the fourth day of
37 service and each day thereafter at the rate of \$50 ~~\$30~~ per day
38 of service.

39 (9) Beginning October 1, 2021, each clerk of the circuit
40 court shall forward to the Justice Administrative Commission a
41 quarterly estimate of funds necessary to pay compensation to
42 jurors in accordance with subsections (3) and (4). Upon receipt
43 of such estimates, the Justice Administrative Commission shall
44 endorse the amount deemed necessary for payment to the clerks of
45 the circuit court during the quarter and shall submit a request
46 for payment to the Chief Financial Officer.

47 Section 2. Section 913.08, Florida Statutes, is amended to
48 read:

49 913.08 ~~Number of~~ Peremptory challenges prohibited. ~~For any~~
50 trial that commences on or after October 1, 2021, any party to
51 the proceeding may not use a peremptory challenge to strike a
52 prospective juror from the venire.

53 ~~(1) The state and the defendant shall each be allowed the~~
54 ~~following number of peremptory challenges:~~

55 ~~(a) Ten, if the offense charged is punishable by death or~~
56 ~~imprisonment for life;~~

57 ~~(b) Six, if the offense charged is punishable by~~
58 ~~imprisonment for more than 12 months but is not punishable by~~

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59 ~~death or imprisonment for life;~~

60 ~~(c) Three, for all other offenses.~~

61 ~~(2) If two or more defendants are tried jointly, each~~
62 ~~defendant shall be allowed the number of peremptory challenges~~
63 ~~specified in subsection (1), and the state shall be allowed as~~
64 ~~many challenges as are allowed to all of the defendants.~~

65 Section 3. Rule 3.350, Florida Rules of Criminal Procedure,
66 is repealed.

67 Section 4. The Supreme Court is requested to amend Rule
68 1.431(d), Florida Rules of Civil Procedure, relating to
69 peremptory challenges, to prohibit the use of peremptory
70 challenges in jury selection in a civil jury trial.

71 Section 5. This act shall take effect October 1, 2021.