

WEST VIRGINIA LEGISLATURE

2026 REGULAR SESSION

Committee Substitute

for

Senate Bill 549

BY SENATORS HAMILTON, AZINGER, DEEDS, FULLER,
GARCIA, OLIVERIO, PHILLIPS, TAKUBO, THORNE, WELD,
WOELFEL, WOODRUM, MORRIS, QUEEN, AND BARNHART
[Reported February 16, 2006, from the Committee on
Finance.]

1 A BILL to amend and reenact §52-1-17 and §52-2-13 of the Code of West Virginia, 1931, as
2 amended, relating to phasing in an increase in the daily rate of juror pay.

Be it enacted by the Legislature of West Virginia:

ARTICLE 1. PETIT JURIES.

§52-1-17. Reimbursement of jurors.

1 (a) Effective July 1, 2026, a juror shall be paid mileage, at the rate set by the Secretary of
2 the Department of Administration, for travel expenses to and from the juror's residence to the
3 courthouse or other place where the court is convened and shall be reimbursed for other
4 expenses incurred as a result of his or her required attendance at sessions of the court at a rate
5 of not less than ~~\$15~~ \$25 nor more than ~~\$40~~ \$70, set at the discretion of the circuit court or the
6 chief judge of the circuit court, for each day of required attendance. Effective July 1, 2027, the
7 rate shall increase to not less than \$40 nor more than \$100. The reimbursement shall be based
8 on vouchers submitted to the sheriff and shall be paid out of the State Treasury.

9 (b) When a jury in any case is placed in the custody of the sheriff, he or she shall provide
10 the jury with meals and lodging while they are in the sheriff's custody at a reasonable cost to be
11 determined by an order of the court. The costs of the meals and lodging shall be paid out of the
12 State Treasury.

13 (c) Any time a panel of prospective jurors has been required to report to court for the
14 selection of a petit jury in any scheduled matter, the court shall, by specific provision in a court
15 order, assess a jury cost. In both magistrate and circuit court cases the jury cost shall be the
16 actual cost of the jurors' service: *Provided*, That the actual cost of a magistrate jury can only be
17 assessed where the jury request or demand occurs on or after July 1, 2007. For any magistrate
18 court case in which the jury request or demand occurred prior to July 1, 2007, the jury cost
19 assessed shall be \$200. The jury costs shall be assessed against the parties as follows:

20 (1) In every criminal case, against the defendant upon conviction, whether by plea, by
21 bench trial or by jury verdict;

22 (2) In every civil case, against either party or prorated against both parties, at the court's
23 discretion, if the parties settle the case or elect for a bench trial; and

24 (3) In the discretion of the court, and only when fairness and justice so require, a circuit
25 court or magistrate court may forego assessment of the jury fee, but shall set out the reasons for
26 waiving the fee in a written order: *Provided*, That a waiver of the assessment of a jury fee in a
27 case tried before a jury in magistrate court may only be permitted after the circuit court, or the
28 chief judge of the circuit court, has reviewed the reasons set forth in the order by the magistrate
29 and has approved the waiver.

30 (d)(1) The circuit or magistrate court clerk shall by the 10th day of the month following the
31 month of collection remit to the State Treasurer for deposit as described in subdivision (2) of this
32 subsection all jury costs collected and the clerk and the clerk's surety are liable for the collection
33 on the clerk's official bond as for other money coming into the clerk's hands by virtue of the clerk's
34 office. When the amount of the jury costs collected in a magistrate court case exceeds \$200, the
35 magistrate court clerk shall separately delineate the portion of the collected jury costs which
36 exceeds \$200.

37 (2) The jury costs described in subdivision (1) of this subsection shall upon receipt by the
38 State Treasurer be deposited as follows:

39 (A) All jury costs collected in a magistrate court case which exceed \$200 shall be
40 deposited in the State's General Revenue Fund; and

41 (B) The remaining balance of the collected jury costs shall be deposited as follows:

42 (i) One-half shall be deposited into the Parent Education and Mediation Fund created in
43 §48-9-604, *et seq.* of this code; and

44 (ii) One-half shall be deposited into the Domestic Violence Legal Services Fund created
45 in §48-26-603, *et seq.* of this code.

ARTICLE 2. GRAND JURIES.

§52-2-13. Compensation and mileage of grand jurors.

1 Effective July 1, 2026, a grand juror shall be paid mileage, at the rate set by the
2 commissioner of finance and administration for state employees, for travel expenses incurred in
3 traveling from the grand juror's residence to the place of the holding of the grand jury and return,
4 and shall be reimbursed for other expenses incurred as a result of required attendance at sessions
5 of the grand jury at a rate of between ~~\$15 and \$40~~ \$25 and \$70, set at the discretion of the circuit
6 court or the chief judge thereof, for each day of required attendance. Effective July 1, 2027, the
7 rate shall increase to a rate of not less than \$40 nor more than \$100.