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HOUSE BILL 385

**53RD LEGISLATURE - STATE OF NEW MEXICO - FIRST SESSION, 2017**

INTRODUCED BY

Daymon Ely

AN ACT

RELATING TO COURTS; REDUCING MILEAGE REIMBURSEMENT FOR CERTAIN  
JURORS; 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.

B. Those persons shall also be reimbursed for  
travel in excess of forty miles to and from their place of  
actual residence to the court, when their attendance is

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1 ordered, at the rate allowed public officers and employees per  
2 mile of necessary travel [~~pursuant to the Per Diem and Mileage~~  
3 ~~Act if:~~

4 ~~(1) their attendance is ordered; and~~

5 ~~(2) the travel required to and from their~~  
6 ~~residence is more than fifteen miles].~~

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

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

16 "38-5-15. MILEAGE AND COMPENSATION FOR JURORS.--Persons  
17 summoned for jury service and jurors shall be reimbursed for  
18 travel in excess of forty miles to and from their place of  
19 actual residence to the courthouse when their attendance is  
20 ordered at the rate allowed public officers and employees per  
21 mile of necessary travel. Persons summoned for jury service  
22 and jurors shall be compensated for their time in [~~travel~~]  
23 attendance and service at the highest prevailing state minimum  
24 wage rate."

25 SECTION 3. EMERGENCY.--It is necessary for the public

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peace, health and safety that this act take effect immediately.