

By: Bernal

H.B. No. 128

A BILL TO BE ENTITLED

1 AN ACT
2 relating to the exemption of certain school district and
3 open-enrollment charter school employees from jury service.

4 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

5 SECTION 1. Section 62.106(a), Government Code, is amended
6 to read as follows:

7 (a) A person qualified to serve as a petit juror may
8 establish an exemption from jury service if the person:

9 (1) is over 70 years of age;

10 (2) has legal custody of a child younger than 12 years
11 of age and the person's service on the jury requires leaving the
12 child without adequate supervision;

13 (3) is a student of a public or private secondary
14 school;

15 (4) is a person enrolled and in actual attendance at an
16 institution of higher education;

17 (5) is an officer or an employee of the senate, the
18 house of representatives, or any department, commission, board,
19 office, or other agency in the legislative branch of state
20 government;

21 (6) is summoned for service in a county with a
22 population of at least 200,000, unless that county uses a jury plan
23 under Section 62.011 and the period authorized under Section
24 62.011(b)(5) exceeds two years, and the person has served as a petit

1 juror in the county during the 24-month period preceding the date
2 the person is to appear for jury service;

3 (7) is the primary caretaker of a person who is unable
4 to care for himself or herself;

5 (8) except as provided by Subsection (b), is summoned
6 for service in a county with a population of at least 250,000 and
7 the person has served as a petit juror in the county during the
8 three-year period preceding the date the person is to appear for
9 jury service; ~~or~~

10 (9) is a member of the United States military forces
11 serving on active duty and deployed to a location away from the
12 person's home station and out of the person's county of residence;
13 or

14 (10) is a classroom teacher, paraprofessional, or
15 librarian employed by a school district or an open-enrollment
16 charter school.

17 SECTION 2. The changes in law made by this Act apply only to
18 the establishment of an exemption from jury services for a person
19 summoned to appear for jury services on a date on or after the
20 effective date of this Act.

21 SECTION 3. This Act takes effect immediately if it receives
22 a vote of two-thirds of all the members elected to each house, as
23 provided by Section 39, Article III, Texas Constitution. If this
24 Act does not receive the vote necessary for immediate effect, this
25 Act takes effect September 1, 2023.