

BILL ANALYSIS

H.B. 830
By: Hughes
Criminal Jurisprudence
Committee Report (Unamended)

BACKGROUND AND PURPOSE

Currently, both the Texas Code of Criminal Procedure and the Texas Constitution require all cases tried in a district court have a jury comprised of twelve jurors, regardless of the class of the alleged offense. Class A or B misdemeanors requiring trial are tried in front of a six-person jury. However, district courts who routinely and extensively try Class A and B misdemeanor cases are still required to use twelve-member juries, where only six-member juries are needed in other courts for the same cases.

House Bill 830 serves as enacting legislation for a constitutional amendment allowing for misdemeanors tried in district courts to have six-person juries. With district courts trying these specific cases in front of six-person juries, thereby reducing the number of jurors needed, this bill lessens the financial burden on district courts.

RULEMAKING AUTHORITY

It is the committee's opinion that this bill does not expressly grant any additional rulemaking authority to a state officer, department, agency, or institution.

ANALYSIS

House Bill 830 amends the Code of Criminal Procedure to allow misdemeanor offenses, tried in district courts, to have six-person juries.

EFFECTIVE DATE

January 1, 2004, but only if H.J.R. 44 is approved by the voters.