

BILL ANALYSIS

Senate Research Center
78R15224E

H.B. 2923
By: Marchant (Averitt)
Jurisprudence
5/20/2003
Engrossed

DIGEST AND PURPOSE

The right to a jury trial is often cited as one of our most fundamental rights. H.B. 2923 encourages jury service by lessening the burden of jury service on citizens.

RULEMAKING AUTHORITY

This bill does not expressly grant any additional rulemaking authority to a state officer, institution, or agency.

SECTION BY SECTION ANALYSIS

SECTION 1. Amends Section 62.0141, Government Code, to provide that in addition to any criminal penalty prescribed by law, a person summoned for jury service who does not comply with the summons as required by law or who knowingly provides false information in a request for an exemption or to be excused from jury service is subject to a contempt action punishable by a fine of not less than \$100 nor more than \$1,000.

SECTION 2. Amends Subchapter A, Chapter 62, Government Code, by adding Sections 62.0142 and 62.022 , as follows:

Sec. 62.0142. POSTPONEMENT OF JURY SERVICE. (a) Authorizes a person summoned for jury service to request a postponement of the person's initial appearance for jury service. Authorizes the person to request the postponement by contacting the clerk of the court in person, in writing, or by telephone before the date on which the person is summoned to appear.

(b) Requires the clerk of the court, on receipt of a request under Subsection (a), to grant the person a postponement if certain conditions are met.

(c) Authorizes a person who receives a postponement under Subsection (b) to request a subsequent postponement in the manner described by Subsection (a). Authorizes the clerk of the court to approve the subsequent postponement only because of an extreme emergency that could not have been anticipated, such as a death in the person's family, sudden serious illness suffered by the person, or a natural disaster or national emergency in which the person is personally involved. Provides that before the clerk may grant the subsequent postponement, the person and the clerk must determine a substitute date on which the person will appear for jury service that is not later than six months after the date on which the person was to appear after the postponement under Subsection (b).

Sec. 62.022. LIMITATION ON LENGTH OF SERVICE. Provides that a person is not required to appear for jury service for more than one day unless the person is selected to serve on a particular jury or is being considered to serve on a particular jury. Requires a juror, once selected, to serve on the jury until the jury renders a verdict, unless excused by the court.

SECTION 3. Makes application of this Act prospective.

SECTION 4. Effective date: September 1, 2003.