

BILL ANALYSIS

C.S.H.B. 3070
By: Casteel
Judicial Affairs
Committee Report (Substituted)

BACKGROUND AND PURPOSE

Under current law, the commissioners court of each county sets the daily reimbursement paid to jurors. In Opinion No. JC-0568, the Attorney General held that reimbursement rates may not vary between grand and petit jurors, and may not vary between petit jurors based on whether the jurors serve in justice, county or district courts.

There are sound reasons why counties may desire to set different reimbursement rates for grand and petit jurors, and for jurors who serve in different levels of courts. For instance, grand jurors serve for a period of months, and some commissioners courts believe such individuals should receive a higher rate of reimbursement than petit jurors who, generally, serve for far shorter periods. Petit jurors who serve in justice courts generally serve for shorter periods of time, and may have access to free parking not available to jurors who serve in county and district courts.

C.S.H.B. 3070 permits, but does not require, commissioners courts to set different rates of reimbursement for grand and petit jurors, and for petit jurors based on the whether the jurors serve in justice, county or 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

C.S.H.B. 3070 amends the Government Code to allow commissioners courts to set different daily reimbursement rates for grand and petit jurors; or for different petit jurors based on whether a juror serves in a justice, county, or district court, or any other reasonable criteria determined by the commissioners court.

EFFECTIVE DATE

September 1, 2003.

COMPARISON OF ORIGINAL TO SUBSTITUTE

The substitute is a Legislative Council draft, whereas the original is not. There are no substantive changes.