

By: Hughes, Pena

H.B. No. 830

A BILL TO BE ENTITLED

AN ACT

relating to the number of jurors required for certain district court criminal trials.

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

SECTION 1. Article 33.01, Code of Criminal Procedure, is amended to read as follows:

Art. 33.01. JURY SIZE [~~, WHEN OF TWELVE, WHEN OF SIX~~]. (a) Except as provided by Subsection (b), in [~~In~~] the district court, the jury shall consist of twelve qualified jurors. In [~~, in~~] the county court and inferior courts, the jury shall consist of six qualified jurors.

(b) In a trial involving a misdemeanor offense, a district court jury shall consist of six qualified jurors.

SECTION 2. This Act takes effect January 1, 2004, but only if the constitutional amendment proposed by the 78th Legislature, Regular Session, 2003, permitting six-person juries in district court misdemeanor trials is approved by the voters. If that amendment is not approved by the voters, this Act has no effect.