

By: Chisum

H.B. No. 1433

A BILL TO BE ENTITLED

AN ACT

relating to the responsibilities of certain county officials for selection of a jury source.

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

SECTION 1. Subchapter B, Chapter 81, Local Government Code, is amended by adding Section 81.025 to read as follows:

Sec. 81.025. JURY SOURCE REPORT BY COUNTY AUDITOR. The commissioners court may require the county auditor to prepare a report, as provided by Subchapter C, Chapter 84, estimating the expense to the county associated with the selection and service of jurors.

SECTION 2. Chapter 84, Local Government Code, is amended by adding Subchapter C to read as follows:

SUBCHAPTER C. JURY SOURCE REPORT

Sec. 84.051. JURY SOURCE REPORT BY COUNTY AUDITOR. (a) The commissioners court of a county by resolution may require the county auditor to prepare a report regarding:

(1) the estimated county expenses associated with each of the jury sources provided by Section 62.001, Government Code; and

(2) other relevant considerations associated with each of the jury sources provided by Section 62.001, Government Code.

(b) A resolution providing for a jury source report under

1 this section must state the reasons the commissioners court
2 considers the report to be necessary.

3 (c) A reason stated in a jury source report resolution may
4 be a statement by the commissioners court that the court considers
5 the report necessary to determine:

6 (1) a jury source that will fairly serve the residents
7 of the county; or

8 (2) a jury source that will economically serve the
9 county.

10 (d) Subject to Section 84.052, the commissioners court may
11 adopt a jury source report resolution at any regular or called
12 session of the commissioners court.

13 Sec. 84.052. NOTICE. (a) The commissioners court shall
14 publish a jury source report resolution once in a newspaper of
15 general circulation published in the county.

16 (b) If there is no newspaper of general circulation
17 published in the county, the court shall post notice of the
18 resolution at the courthouse door and two other public places in the
19 county for at least the 10 days preceding the date the resolution is
20 adopted.

21 Sec. 84.053. JURY SOURCE REPORT BY ACCOUNTANT. (a) The
22 commissioners court of a county that does not have a county auditor
23 may employ an independent certified public accountant to prepare a
24 jury source report under this subchapter.

25 (b) An independent certified public accountant employed
26 under Subsection (a) has the powers and duties assigned by this
27 subchapter to a county auditor.

1 Sec. 84.054. REPORT DEADLINE. The county auditor shall
2 deliver a jury source report not later than the 60th day after the
3 date a resolution requiring the report is adopted by the
4 commissioners court.

5 Sec. 84.055. INFORMATION FURNISHED BY OFFICERS. The county
6 auditor may require a public official who receives funds from the
7 county to provide any information necessary to properly prepare a
8 jury source report.

9 Sec. 84.056. PENALTY FOR FAILURE TO FURNISH COUNTY AUDITOR
10 WITH INFORMATION; REMOVAL. (a) A person commits an offense if the
11 person:

12 (1) is required under this subchapter to provide
13 information to the county auditor; and

14 (2) refuses to comply with a reasonable request of the
15 county auditor relating to the information.

16 (b) An offense under this section is a misdemeanor
17 punishable by:

18 (1) a fine of not less than \$25 or more than \$500;

19 (2) removal from office; or

20 (3) both a fine and removal from office.

21 Sec. 84.057. JURY SOURCE REPORT FILED WITH COUNTY CLERK;
22 PUBLIC INSPECTION. (a) The county auditor shall file a copy of a
23 jury source report with the county clerk.

24 (b) The jury source report is public information.

25 SECTION 3. Section 62.001, Government Code, is amended by
26 amending Subsections (a) and (b) and adding Subsection (1) to read
27 as follows:

1 (a) Except as provided by Subsection (1), the ~~[The]~~ jury
2 wheel must be reconstituted by using, as the source:

3 (1) the names of all persons on the current voter
4 registration lists from all the precincts in the county; and

5 (2) all names on a current list to be furnished by the
6 Department of Public Safety, showing the citizens of the county
7 who:

8 (A) hold a valid Texas driver's license or a
9 valid personal identification card or certificate issued by the
10 department; and

11 (B) are not disqualified from jury service under
12 Section 62.102(1), (2), or (7).

13 (b) Notwithstanding Subsections ~~[Subsection]~~ (a) and (1),
14 the names of persons listed on a register of persons exempt from
15 jury service may not be placed in the jury wheel, as provided by
16 Sections 62.108 and 62.109.

17 (1) On approval of the commissioners court, a jury wheel may
18 be reconstituted by using, as the only source, the names of all
19 persons on the current voter registration lists from all precincts
20 in the county.

21 SECTION 4. The changes in the law made by this Act relating
22 to jury service apply only to persons summoned to appear for jury
23 service after a jury wheel has been constituted for the county under
24 Chapter 62, Government Code, as amended by this Act. A jury wheel
25 constituted before the effective date of this Act may be used until
26 the jury wheel has been reconstituted under Chapter 62, Government
27 Code, as amended by this Act.

1 SECTION 5. This Act takes effect September 1, 2003.