

By: Zaffirini

S.B. No. 53

A BILL TO BE ENTITLED

AN ACT

relating to grand juror training regarding sexual assault issues.

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

SECTION 1. Chapter 19, Code of Criminal Procedure, is amended by adding Article 19.43 to read as follows:

Art. 19.43. GRAND JUROR TRAINING REGARDING SEXUAL ASSAULT ISSUES. (a) Except as provided by Subsection (b), the court shall ensure that each grand juror receives training regarding issues of sexual assault, including issues related to victims and perpetrators of sexual assault.

(b) The court may excuse a grand juror from the training if the court finds that the juror is unlikely to address sexual assault issues during the juror's term of service.

(c) The court shall adopt rules necessary to accomplish the purposes of this article. The rules must:

(1) require each grand juror to complete at least two hours of training not later than the third day after the date the juror is impaneled;

(2) provide a method for certification of completion of the training; and

(3) provide for training by a sexual assault program, as defined by Section 420.003, Government Code, located within the judicial district of the court or, if there is not a program located within the district, another entity with expertise in sexual

1 assault issues.

2 (d) On the court's request, the sexual assault program or
3 other entity, as applicable, shall provide the training using a
4 curriculum approved by a statewide association committed to ending
5 sexual violence in this state.

6 (e) The curriculum must include information about:

7 (1) case law, statutory law, and procedural rules
8 relating to sexual assault;

9 (2) methods for providing protection for victims of
10 sexual assault;

11 (3) available community and state resources for
12 counseling and other aid to victims and perpetrators of sexual
13 assault;

14 (4) dynamics and effects of being a victim of sexual
15 assault; and

16 (5) recurring characteristics of perpetrators of
17 sexual assault.

18 SECTION 2. (a) A district court shall adopt the rules
19 required by Article 19.43, Code of Criminal Procedure, as added by
20 this Act, not later than October 1, 2003.

21 (b) The change in law made by this Act applies only to a
22 grand jury that is impaneled on or after the effective date of this
23 Act. A grand jury that is impaneled before the effective date of
24 this Act is covered by the law in effect when the jury was
25 impaneled, and the former law is continued in effect for that
26 purpose.

27 SECTION 3. This Act takes effect September 1, 2003.