

1-1 By: Duncan S.B. No. 518  
1-2 (In the Senate - Filed February 17, 2003; February 19, 2003,  
1-3 read first time and referred to Committee on Jurisprudence;  
1-4 March 17, 2003, reported adversely, with favorable Committee  
1-5 Substitute by the following vote: Yeas 6, Nays 0; March 17, 2003,  
1-6 sent to printer.)

1-7 COMMITTEE SUBSTITUTE FOR S.B. No. 518 By: Duncan

1-8 A BILL TO BE ENTITLED  
1-9 AN ACT

1-10 relating to the qualifications for service as a grand or petit juror  
1-11 and challenges for cause.

1-12 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

1-13 SECTION 1. Article 19.08, Code of Criminal Procedure, is  
1-14 amended to read as follows:

1-15 Art. 19.08. QUALIFICATIONS. No person shall be selected or  
1-16 serve as a grand juror who does not possess the following  
1-17 qualifications:

1-18 1. The person [~~He~~] must be a citizen of the state, and  
1-19 of the county in which the person [~~he~~] is to serve, and be qualified  
1-20 under the Constitution and laws to vote in said county, provided  
1-21 that the person's [~~his~~] failure to register to vote shall not be  
1-22 held to disqualify the person [~~him~~] in this instance;

1-23 2. The person [~~He~~] must be of sound mind and good moral  
1-24 character;

1-25 3. The person [~~He~~] must be able to read and write;

1-26 4. The person [~~He~~] must not have been convicted of  
1-27 misdemeanor theft or a [~~of any~~] felony;

1-28 5. The person [~~He~~] must not be under indictment or  
1-29 other legal accusation for misdemeanor theft or a [~~of any~~] felony;

1-30 6. The person [~~He~~] must not be related within the third  
1-31 degree of consanguinity or second degree of affinity, as determined  
1-32 under Chapter 573, Government Code, to any person selected to serve  
1-33 or serving on the same grand jury;

1-34 7. The person [~~He~~] must not have served as grand juror  
1-35 or jury commissioner in the year before the date on which the term  
1-36 of court for which the person [~~he~~] has been selected as grand juror  
1-37 begins;

1-38 8. The person [~~He~~] must not be a complainant in any  
1-39 matter to be heard by the grand jury during the term of court for  
1-40 which the person [~~he~~] has been selected as a grand juror.

1-41 SECTION 2. Subsection (a), Article 35.16, Code of Criminal  
1-42 Procedure, is amended to read as follows:

1-43 (a) A challenge for cause is an objection made to a  
1-44 particular juror, alleging some fact which renders the juror [~~him~~]  
1-45 incapable or unfit to serve on the jury. A challenge for cause may  
1-46 be made by either the state or the defense for any one of the  
1-47 following reasons:

1-48 1. That the juror [~~he~~] is not a qualified voter in the  
1-49 state and county under the Constitution and laws of the state;  
1-50 provided, however, the failure to register to vote shall not be a  
1-51 disqualification;

1-52 2. That the juror [~~he~~] has been convicted of  
1-53 misdemeanor theft or a [~~any~~] felony;

1-54 3. That the juror [~~he~~] is under indictment or other  
1-55 legal accusation for misdemeanor theft or a [~~any~~] felony;

1-56 4. That the juror [~~he~~] is insane;

1-57 5. That the juror [~~he~~] has such defect in the organs of  
1-58 feeling or hearing, or such bodily or mental defect or disease as to  
1-59 render the juror [~~him~~] unfit for jury service, or that the juror  
1-60 [~~he~~] is legally blind and the court in its discretion is not  
1-61 satisfied that the juror [~~he~~] is fit for jury service in that  
1-62 particular case;

1-63 6. That the juror [~~he~~] is a witness in the case;

