

By: Eiland

H.B. No. 157

A BILL TO BE ENTITLED

AN ACT

relating to the separation of certain facilities for juries  
deliberating in criminal trials.

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

SECTION 1. Article 36.21, Code of Criminal Procedure, is  
amended to read as follows:

Art. 36.21. TO PROVIDE JURY ROOM. (a) The sheriff shall  
provide a suitable room for the deliberation of the jury and supply  
them with such necessary food and lodging as he can obtain. No  
intoxicating liquor shall be furnished them.

(b) In all cases wherein a jury consists partly of male  
jurors and partly of female jurors, the sheriff shall provide  
facilities for the female jurors separate and apart from the  
facilities provided for the male jurors.

(c) Each county shall comply with Subsection (b) on or  
before the fifth anniversary of the first date a jury deliberation  
room is used for jury deliberations incident to a criminal trial. A  
failure to comply within the period specified by this subsection is  
not grounds for appeal and does not constitute reversible error for  
a defendant in a criminal case. This subsection applies only to a  
jury deliberation room located in a courthouse that is first used as  
a courthouse on or after January 1, 2006. This subsection expires  
September 1, 2011.

SECTION 2. This Act takes effect immediately if it receives

1 a vote of two-thirds of all the members elected to each house, as  
2 provided by Section 39, Article III, Texas Constitution. If this  
3 Act does not receive the vote necessary for immediate effect, this  
4 Act takes effect on the 91st day after the last day of the  
5 legislative session.