

By: West

S.B. No. 251

A BILL TO BE ENTITLED

AN ACT

1
2 relating to the questioning of prospective jurors during voir dire
3 examination.

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

5 SECTION 1. Article 35.17, Code of Criminal Procedure, is
6 amended by adding Sections 3 and 4 to read as follows:

7 3. The attorney representing the state and the attorney
8 representing the defendant are entitled to conduct a meaningful
9 voir dire examination. Questions designed to elicit information
10 necessary for both attorneys to intelligently exercise challenges
11 for cause and for peremptory challenges shall be permitted. By way
12 of illustration only, a question asked during the voir dire
13 examination is proper if the question attempts to discover the
14 views of a prospective juror on an issue that is applicable to the
15 case, and a question asked during the voir dire examination is not
16 proper if the question attempts to commit a prospective juror to
17 reaching a verdict based on particular facts.

18 4. This article is not intended to restrict a judge's
19 authority to limit the duration of a voir dire examination to a
20 reasonable period.

21 SECTION 2. This Act takes effect September 1, 2005.