

1-1 By: West S.B. No. 251  
1-2 (In the Senate - Filed January 25, 2005; February 3, 2005,  
1-3 read first time and referred to Committee on Jurisprudence;  
1-4 April 7, 2005, reported favorably by the following vote: Yeas 6,  
1-5 Nays 0; April 7, 2005, sent to printer.)

1-6 A BILL TO BE ENTITLED  
1-7 AN ACT

1-8 relating to the questioning of prospective jurors during voir dire  
1-9 examination.

1-10 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

1-11 SECTION 1. Article 35.17, Code of Criminal Procedure, is  
1-12 amended by adding Sections 3 and 4 to read as follows:

1-13 3. The attorney representing the state and the attorney  
1-14 representing the defendant are entitled to conduct a meaningful  
1-15 voir dire examination. Questions designed to elicit information  
1-16 necessary for both attorneys to intelligently exercise challenges  
1-17 for cause and for peremptory challenges shall be permitted. By way  
1-18 of illustration only, a question asked during the voir dire  
1-19 examination is proper if the question attempts to discover the  
1-20 views of a prospective juror on an issue that is applicable to the  
1-21 case, and a question asked during the voir dire examination is not  
1-22 proper if the question attempts to commit a prospective juror to  
1-23 reaching a verdict based on particular facts.

1-24 4. This article is not intended to restrict a judge's  
1-25 authority to limit the duration of a voir dire examination to a  
1-26 reasonable period.

1-27 SECTION 2. This Act takes effect September 1, 2005.

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