

By: Zerwas

H.B. No. 3811

A BILL TO BE ENTITLED

AN ACT

relating to the reconstitution of a jury wheel for a county.

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

SECTION 1. Section 62.001, Government Code, is amended by amending Subsections (a), (c), (g), (h), and (i) and adding Subsection (c-1) to read as follows:

(a) The jury wheel must be reconstituted by using, as the source, ~~+~~

~~[(1)]~~ the names of all persons on the current voter registration lists from all the precincts in the county ~~+, and~~

~~[(2) all names on a current list to be furnished by the Department of Public Safety, showing the citizens of the county who:~~

~~[(A) hold a valid Texas driver's license or a valid personal identification card or certificate issued by the department, and~~

~~[(B) are not disqualified from jury service under Section 62.102(1), (2), or (7)].~~

(c) Each year not later than the third Tuesday in November or the date provided by Section 16.032, Election Code, for the cancellation of voter registrations, whichever is earlier, the voter registrar of each county shall furnish to the secretary of state a current voter registration list from all the precincts in the county that, except as provided by Subsection (d), includes:

1 (1) the complete name, mailing address, date of birth,
2 voter registration number, and precinct number for each voter; and

3 (2) any other information included on the voter
4 registration list of the county, other than a [if available, the]
5 Texas driver's license number, ~~[or]~~ personal identification card or
6 certificate number, or ~~[and]~~ social security number for each
7 voter ~~[, and~~

8 ~~[(3) any other information included on the voter~~
9 ~~registration list of the county].~~

10 (c-1) The voter registrar of a county may not provide to the
11 secretary of state under Subsection (c) a Texas driver's license
12 number, personal identification card or certificate number, or
13 social security number for a voter.

14 (g) The secretary of state shall accept the lists furnished
15 as provided by Subsections (c) through (e) ~~[(f)]~~. The secretary of
16 state shall ~~[combine the lists, eliminate duplicate names, and]~~
17 send the ~~[combined]~~ list to the appropriate ~~[each]~~ county on or
18 before December 31 of each year or as may be required under a plan
19 developed in accordance with Section 62.011. The district clerk of
20 a county that has adopted a plan under Section 62.011 shall give the
21 secretary of state notice not later than the 90th day before the
22 date the list is required. The list furnished the county must be in
23 a format, electronic or printed copy, as requested by the county and
24 must be certified by the secretary of state stating that the list
25 contains the names required by Subsections (c) through (e) ~~[(f)]~~,
26 ~~eliminating duplications~~. The secretary of state shall furnish
27 the list free of charge.

1 (h) If the secretary of state is unable to furnish the list
2 as provided in this section because of the failure of the voter
3 registrar to furnish the county voter registration list to the
4 secretary of state, the county tax assessor-collector, sheriff,
5 county clerk, and district clerk in the county shall meet at the
6 county courthouse between January 1 and January 15 of the following
7 year and shall reconstitute the jury wheel for the county, except as
8 provided under a plan adopted under Section 62.011. The deadlines
9 included in the plan control for preparing the list and
10 reconstituting the wheel. [~~The secretary of state shall send the~~
11 ~~list furnished by the Department of Public Safety as provided by~~
12 ~~Subsection (f) to the voter registrar, who shall combine the lists~~
13 ~~as described in this section for use as the juror source and certify~~
14 ~~the combined list as required of the secretary of state under~~
15 ~~Subsection (g).~~]

16 (i) The commissioners court may, instead of using the method
17 provided by Subsections (c) through (h), contract with another
18 governmental unit or a private person to implement this section
19 [~~combine the voter registration list with the list furnished by the~~
20 ~~Department of Public Safety~~]. Subsections (c) through (h) do not
21 apply to a county in which the commissioners court has contracted
22 with another governmental unit or a private person under this
23 subsection. [~~The Department of Public Safety may not charge a fee~~
24 ~~for furnishing a list under this subsection.~~] Each list must
25 contain the name, date of birth, address, and county of residence[~~7~~
26 ~~and citizenship status~~] of each person listed. If practical, each
27 list must contain any other information useful in determining if

1 the person is qualified to serve as a juror, except that a list may
2 not contain any information specified in Subsection (c-1).

3 SECTION 2. Section 62.001(f), Government Code, is repealed.

4 SECTION 3. This Act takes effect September 1, 2007.