

By: Harris

S.B. No. 399

A BILL TO BE ENTITLED

AN ACT

relating to postponement of jury service in certain counties.

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

SECTION 1. Subchapter A, Chapter 62, Government Code, is amended by adding Section 62.0144 to read as follows:

Sec. 62.0144. POSTPONEMENT OF JURY SERVICE IN CERTAIN COUNTIES. (a) This section applies only to a county:

(1) with a population of 1.4 million or more; and

(2) that has within its boundaries at least two municipalities that each have a population of 300,000 or more.

(b) A person summoned for jury service may request a postponement of the person's initial appearance for jury service. The person may request the postponement by contacting the clerk of the court, or the court's designee, in person, in writing, or by telephone before the date on which the person is summoned to appear.

(c) On receipt of a request under Subsection (b), the clerk of the court or the court's designee shall grant the person a postponement if:

(1) the person has not been granted a postponement in that county since the date on which the jury wheel from which the person was selected to appear was most recently reconstituted; and

(2) the person and the clerk or the court's designee determine a substitute date on which the person will appear for jury service that is not later than six months after the date on which

1 the person was originally summoned to appear.

2 (d) A person who receives a postponement under Subsection
3 (c) may request subsequent postponements in the manner described by
4 Subsection (b). The clerk of the court or the court's designee may
5 approve a subsequent postponement if the clerk or the court's
6 designee determines that the person has a legitimate reason for
7 requesting the postponement. Before the clerk or the court's
8 designee may grant the subsequent postponement, the person and the
9 clerk or the court's designee must determine a substitute date on
10 which the person will appear for jury service that is not later than
11 six months after the date on which the person was to appear after
12 the later of:

- 13 (1) the postponement under Subsection (c); or
14 (2) the most recent postponement granted under this
15 subsection.

16 SECTION 2. The change in law made by this Act applies only
17 to a person summoned to appear for jury service who is required to
18 appear on or after the effective date of this Act. A person
19 summoned to appear for jury service who is required to appear before
20 the effective date of this Act is governed by the law in effect on
21 the date the person is required to appear, and the former law is
22 continued in effect for that purpose.

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