

1-1 By: Harris S.B. No. 399
1-2 (In the Senate - Filed January 31, 2007; February 21, 2007,
1-3 read first time and referred to Committee on Jurisprudence;
1-4 March 26, 2007, reported adversely, with favorable Committee
1-5 Substitute by the following vote: Yeas 4, Nays 0; March 26, 2007,
1-6 sent to printer.)

1-7 COMMITTEE SUBSTITUTE FOR S.B. No. 399 By: Duncan

1-8 A BILL TO BE ENTITLED
1-9 AN ACT

1-10 relating to postponement of jury service in certain counties.

1-11 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

1-12 SECTION 1. Subchapter A, Chapter 62, Government Code, is
1-13 amended by adding Section 62.0144 to read as follows:

1-14 Sec. 62.0144. POSTPONEMENT OF JURY SERVICE IN CERTAIN
1-15 COUNTIES. (a) This section applies only to a county:

1-16 (1) with a population of 1.4 million or more; and

1-17 (2) that has within its boundaries at least two
1-18 municipalities that each have a population of 300,000 or more.

1-19 (b) A person summoned for jury service may request a
1-20 postponement of the person's initial appearance for jury service.
1-21 The person may request the postponement by contacting the clerk of
1-22 the court, or the court's designee, in person, in writing, or by
1-23 telephone before the date on which the person is summoned to appear.

1-24 (c) On receipt of a request under Subsection (b), the clerk
1-25 of the court or the court's designee shall grant the person a
1-26 postponement if:

1-27 (1) the person has not been granted a postponement in
1-28 that county since the date on which the jury wheel from which the
1-29 person was selected to appear was most recently reconstituted; and

1-30 (2) the person and the clerk or the court's designee
1-31 determine a substitute date on which the person will appear for jury
1-32 service that is not later than six months after the date on which
1-33 the person was originally summoned to appear.

1-34 (d) A person who receives a postponement under Subsection
1-35 (c) may request subsequent postponements in the manner described by
1-36 Subsection (b). The clerk of the court or the court's designee may
1-37 approve a subsequent postponement if the clerk or the court's
1-38 designee determines that the person has a legitimate reason for
1-39 requesting the postponement. Before the clerk or the court's
1-40 designee may grant the subsequent postponement, the person and the
1-41 clerk or the court's designee must determine a substitute date on
1-42 which the person will appear for jury service that is not later than
1-43 six months after the date on which the person was to appear after
1-44 the later of:

1-45 (1) the postponement under Subsection (c); or

1-46 (2) the most recent postponement granted under this
1-47 subsection.

1-48 SECTION 2. The change in law made by this Act applies only
1-49 to a person summoned to appear for jury service who is required to
1-50 appear on or after the effective date of this Act. A person
1-51 summoned to appear for jury service who is required to appear before
1-52 the effective date of this Act is governed by the law in effect on
1-53 the date the person is required to appear, and the former law is
1-54 continued in effect for that purpose.

1-55 SECTION 3. This Act takes effect September 1, 2007.

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