

By: Eltife

S.B. No. 1744

A BILL TO BE ENTITLED

AN ACT

relating to the right to a jury trial in juvenile cases.

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

SECTION 1. Subsection (c), Section 54.03, Family Code, is amended to read as follows:

(c) Trial shall be by jury unless jury is waived by the child and the child's attorney in accordance with Section 51.09, with the consent and approval of the court and the attorney representing the state. If the hearing is on a petition that has been approved by the grand jury under Section 53.045, the jury must consist of 12 persons and be selected in accordance with the requirements in criminal cases. Jury verdicts under this title must be unanimous.

SECTION 2. The change in law made by this Act applies to a juvenile court proceeding that commences on or after the effective date of this Act. A juvenile court proceeding that commences before the effective date of this Act is covered by the law in effect when the proceeding commenced, and the former law is continued in effect for that purpose.

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