

BILL ANALYSIS

S.B. 397
By: Carona
Judiciary & Civil Jurisprudence
Committee Report (Unamended)

BACKGROUND AND PURPOSE

Chapter 61 (General Provisions), Government Code, outlines the criteria for reimbursement of jury expenses but does not identify a method for reimbursement of jury service other than by a "check drawn on the jury fund."

As proposed, S.B. 397 authorizes a county treasurer to reimburse citizens for jury service on the same day they serve as a juror by certain methods determined by the commissioners court to be for jury service cost-effective, secure, accurate, and convenient including electronic funds transfer, a county-issued check, debit cards or stored value cards, or cash. Sets forth the manner in which such reimbursement is to be handled if it is not presented for payment or redeemed within a certain time period. Authorizes a juror to donate all or a portion of his or her juror reimbursement in a certain manner.

RULEMAKING AUTHORITY

This bill does not expressly grant any additional rulemaking authority to a state officer, institution, or agency.

ANALYSIS

SECTION 1. Amends Subchapter C, Chapter 113, Local Government Code, by adding Section 113.048, as follows:

Sec. 113.048. DISBURSEMENT OF MONEY FOR JURY SERVICE. (a) Authorizes a county treasurer, notwithstanding any other provision of this subchapter or other law to the contrary, to disburse to a person who reports for jury service and discharges the person's duty the daily amount of reimbursement for jury service expenses set by the commissioners court under Section 61.001 (Authority to Consolidate), Government Code, by using an electronic funds transfer system in accordance with Chapter 156 (Electronic Funds Transfer of Compensation and Reimbursement of County Officers and Employees), using a cash dispensing machine, issuing a debit card or a stored value card, or using any other method that the county treasurer and the commissioners court determine is secure, accurate, and cost-effective and that is convenient for persons who report for jury service.

(b) Authorizes a system or method of payment adopted by a county treasurer under Subsection (a) to be implemented only if it is approved by the commissioners court and administered in accordance with the procedures established by the county auditor or by the chief financial officer of a county that does not have a county auditor.

(c) Authorizes a system or method of payment authorized by this section to be used in lieu of or in addition to the issuance of warrants or checks authorized under this subchapter.

SECTION 2. Amends Section 61.001(f), Government Code, as follows:

(f) Provides that if a check, instrument, or other method of payment authorized under Section 113.048, Local Government Code, representing a reimbursement under this

section is not presented for payment or redeemed before the 90th day after it is issued, then the instrument or other method of payment is considered forfeited and is void, and authorizes the money represented by the instrument or other method of payment to be placed or retained in the county's jury fund, the county's general fund, or any other fund in which county funds can be legally placed, at the discretion of the commissioners court.

SECTION 3. Amends Section 61.003, Government Code, by adding Subsection (e), to authorize a county that has adopted a system or method of payment authorized by Section 113.048, Local Government Code, notwithstanding Subsection (a), to provide a person who reports for jury service in the county an opportunity to donate all, or a specific part designated by the juror, of the juror's daily reimbursement by completing a self-executing application on a form prescribed by the commissioners court.

SECTION 4. Makes application of this Act prospective.

SECTION 5. Effective date: September 1, 2009.

EFFECTIVE DATE

September 1, 2009.