

By: Castro

H.B. No. 609

A BILL TO BE ENTITLED

AN ACT

relating to the composition of the jury in certain adjudication hearings in juvenile court.

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

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

(c) Trial shall be by jury unless jury is waived in accordance with Section 51.09. 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. If the hearing is on a petition that alleges conduct that violates a penal law of this state of the grade of misdemeanor, the jury must consist of the number of persons required by Article 33.01(b), Code of Criminal Procedure. Jury verdicts under this title must be unanimous.

SECTION 2. Section 54.03(c), Family Code, as amended by this Act, applies to an adjudication hearing conducted in a juvenile court for which a jury is selected on or after the effective date of this Act, regardless of the date the petition on which the hearing is based was filed.

SECTION 3. This Act takes effect September 1, 2009.