

AN ACT

relating to the penalty imposed on defaulting jurors.

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

SECTION 1. Section 62.111, Government Code, is amended to read as follows:

Sec. 62.111. PENALTY FOR DEFAULTING JURORS. A juror lawfully notified shall be fined not less than \$100 [~~\$10~~] nor more than \$500 [~~\$100~~] if the juror [~~he~~]:

(1) fails to attend court in obedience to the notice without reasonable excuse; or

(2) files a false claim of exemption from jury service.

SECTION 2. Article 19.16, Code of Criminal Procedure, is amended to read as follows:

Art. 19.16. ABSENT JUROR FINED. A juror legally summoned, failing to attend without a reasonable excuse, may, by order of the court entered on the record, be fined not less than \$100 [~~ten dollars~~] nor more than \$500 [~~one hundred dollars~~].

SECTION 3. Article 35.01, Code of Criminal Procedure, is amended to read as follows:

Art. 35.01. JURORS CALLED. When a case is called for trial and the parties have announced ready for trial, the names of those summoned as jurors in the case shall be called. Those not present may be fined not less than \$100 nor more than \$500 [~~not exceeding~~]

1 ~~fifty dollars]~~. An attachment may issue on request of either party  
2 for any absent summoned juror, to have him brought forthwith before  
3 the court. A person who is summoned but not present, may upon an  
4 appearance, before the jury is qualified, be tried as to his  
5 qualifications and impaneled as a juror unless challenged, but no  
6 cause shall be unreasonably delayed on account of his absence.

7       SECTION 4. The change in law made by this Act applies only  
8 to a juror who fails to attend or provides a false claim of  
9 exemption on or after the effective date of this Act. A violation  
10 that occurred before the effective date of this Act is governed by  
11 the law in effect when the violation occurred, and the former law is  
12 continued in effect for that purpose.

13       SECTION 5. This Act takes effect September 1, 2009.

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President of the Senate

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Speaker of the House

I certify that H.B. No. 1665 was passed by the House on May 15, 2009, by the following vote: Yeas 144, Nays 0, 1 present, not voting.

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Chief Clerk of the House

I certify that H.B. No. 1665 was passed by the Senate on May 25, 2009, by the following vote: Yeas 30, Nays 1.

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Secretary of the Senate

APPROVED: \_\_\_\_\_

Date

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Governor