

1-1 By: King of Parker (Senate Sponsor - Harris) H.B. No. 1665
1-2 (In the Senate - Received from the House May 18, 2009;
1-3 May 19, 2009, read first time and referred to Committee on
1-4 Jurisprudence; May 23, 2009, reported favorably by the following
1-5 vote: Yeas 5, Nays 0; May 23, 2009, sent to printer.)

1-6 A BILL TO BE ENTITLED
1-7 AN ACT

1-8 relating to the penalty imposed on defaulting jurors.

1-9 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

1-10 SECTION 1. Section 62.111, Government Code, is amended to
1-11 read as follows:

1-12 Sec. 62.111. PENALTY FOR DEFAULTING JURORS. A juror
1-13 lawfully notified shall be fined not less than \$100 [~~\$10~~] nor more
1-14 than \$500 [~~\$100~~] if the juror [~~he~~]:

1-15 (1) fails to attend court in obedience to the notice
1-16 without reasonable excuse; or

1-17 (2) files a false claim of exemption from jury
1-18 service.

1-19 SECTION 2. Article 19.16, Code of Criminal Procedure, is
1-20 amended to read as follows:

1-21 Art. 19.16. ABSENT JUROR FINED. A juror legally summoned,
1-22 failing to attend without a reasonable excuse, may, by order of the
1-23 court entered on the record, be fined not less than \$100 [~~ten~~
1-24 ~~dollars~~] nor more than \$500 [~~one hundred dollars~~].

1-25 SECTION 3. Article 35.01, Code of Criminal Procedure, is
1-26 amended to read as follows:

1-27 Art. 35.01. JURORS CALLED. When a case is called for trial
1-28 and the parties have announced ready for trial, the names of those
1-29 summoned as jurors in the case shall be called. Those not present
1-30 may be fined not less than \$100 nor more than \$500 [~~not exceeding~~
1-31 ~~fifty dollars~~]. An attachment may issue on request of either party
1-32 for any absent summoned juror, to have him brought forthwith before
1-33 the court. A person who is summoned but not present, may upon an
1-34 appearance, before the jury is qualified, be tried as to his
1-35 qualifications and impaneled as a juror unless challenged, but no
1-36 cause shall be unreasonably delayed on account of his absence.

1-37 SECTION 4. The change in law made by this Act applies only
1-38 to a juror who fails to attend or provides a false claim of
1-39 exemption on or after the effective date of this Act. A violation
1-40 that occurred before the effective date of this Act is governed by
1-41 the law in effect when the violation occurred, and the former law is
1-42 continued in effect for that purpose.

1-43 SECTION 5. This Act takes effect September 1, 2009.

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