

By: Estes

S.B. No. 834

A BILL TO BE ENTITLED

AN ACT

1
2 relating to the confidentiality of certain grand juror information,
3 including making former district court jurors instead of former
4 grand jurors eligible for service on certain public committees.

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

6 SECTION 1. Article 19.42, Code of Criminal Procedure, is
7 amended by amending Subsection (a) and adding Subsection (c) to
8 read as follows:

9 (a) Except as provided by Subsection (b), information
10 collected by the court, court personnel, or prosecuting attorney
11 during the grand jury selection process about a person who serves as
12 a grand juror, including the person's name, home address, home
13 telephone number, social security number, driver's license number,
14 and other personal information, is confidential and may not be
15 disclosed by the court, court personnel, or prosecuting attorney.

16 (c) On request, the court shall permit disclosure of a list
17 of the names, races, ethnicities, and genders of the grand jurors to
18 an attorney representing a party to the proceeding for the purpose
19 of a constitutional challenge to the array after indictment. On
20 disclosing the list of the names, races, ethnicities, or genders of
21 the grand jurors, the court shall order the attorney representing a
22 party to the proceeding and any investigator, expert, consulting
23 legal counsel, secretary, or paralegal for the attorney not to
24 disclose the names, races, ethnicities, or genders of the grand

1 jurors to a party to the proceeding or to any other person.

2 SECTION 2. Subsection (b), Section 152.015, Local
3 Government Code, is amended to read as follows:

4 (b) Before the meeting, the county clerk shall place on a
5 separate slip the name of each person who served on a district court
6 [~~grand~~] jury in the county during the preceding calendar year. At
7 the meeting the slips shall be folded, placed in an appropriate
8 container, and mixed. The county judge shall draw at random a
9 number of slips equal to the number of public members needed for the
10 committee and shall announce the names on the slips. At the meeting
11 the county judge may repeat this process and make a list of
12 alternates. A person whose name is drawn becomes a member of the
13 committee or an alternate on submitting written acceptance to the
14 clerk. If a person refuses or is unable to serve on the committee, a
15 replacement shall be appointed from the list of alternates. If the
16 list of alternates is exhausted or does not exist, a replacement
17 shall be selected at the next regular or called commissioners court
18 meeting by random selection of a slip from the remaining slips.
19 This process shall be repeated until the required number of public
20 members is selected.

21 SECTION 3. This Act takes effect immediately if it receives
22 a vote of two-thirds of all the members elected to each house, as
23 provided by Section 39, Article III, Texas Constitution. If this
24 Act does not receive the vote necessary for immediate effect, this
25 Act takes effect September 1, 2013.