

By: Hughes

H.B. No. 1108

A BILL TO BE ENTITLED

AN ACT

relating to the determination of whether jurors in a criminal case have good cause for not performing their duties.

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

SECTION 1. Article 33.011(b), Code of Criminal Procedure, is amended to read as follows:

(b) Alternate jurors in the order in which they are called shall replace jurors who, before ~~[prior to]~~ the time the jury renders a verdict on the guilt or innocence of the defendant and, if applicable, the amount of punishment, become or are found to be unable or disqualified to perform their duties or are determined ~~[found by the court on agreement of the parties]~~ to have good cause for not performing their duties either through a finding by the court or through an agreement of the parties that is approved by the court. Alternate jurors shall be drawn and selected in the same manner, shall have the same qualifications, shall be subject to the same examination and challenges, shall take the same oath, and shall have the same functions, powers, facilities, security, and privileges as regular jurors. An alternate juror who does not replace a regular juror shall be discharged after the jury has rendered a verdict on the guilt or innocence of the defendant and, if applicable, the amount of punishment.

SECTION 2. The change in law made by this Act applies only to a trial commenced on or after the effective date of this Act. A

1 trial commenced before the effective date of this Act is covered by
2 the law in effect when the trial was commenced, and the former law
3 is continued in effect for that purpose.

4 SECTION 3. This Act takes effect September 1, 2015.