

LEGISLATIVE BUDGET BOARD
Austin, Texas

FISCAL NOTE, 84TH LEGISLATIVE REGULAR SESSION

May 20, 2015

TO: Honorable John Whitmire, Chair, Senate Committee on Criminal Justice

FROM: Ursula Parks, Director, Legislative Budget Board

IN RE: HB2150 by Alvarado (relating to the organization of a grand jury.), **Committee Report 2nd House, Substituted**

No significant fiscal implication to the State is anticipated.

The bill would amend the Code of Criminal Procedure to eliminate the appointment by a district judge of the position of jury commissioner within the process of selection and impaneling of a grand jury. The bill would also eliminate related language pertaining to a jury commissioner, including the repeal of certain provisions, and makes changes to the causes for which a challenge to a grand juror may be made. The bill modifies the mode of test for trying the qualifications of any person to serve as a grand juror and requires the court to consider the county's demographics related to race, ethnicity, sex, and age for purposes of jury selection. The bill requires the court to select 12 qualified persons to serve on the grand jury and two alternative jurors. In addition, the bill requires jurors that determine they could be subject to a valid challenge for cause to recuse themselves from grand jury service until the cause no longer exists. A juror that knowingly fails to recuse themselves may be held in contempt of court. The bill repeals provisions related to grand jury selection, oath administration, jury summons, failure to select a grand jury, and other provisions concerning grand juries and court processes associated with grand juries.

Based on the analysis of the Office of Court Administration, duties and responsibilities associated with implementing the provisions of the bill could be accomplished by utilizing existing resources.

Local Government Impact

No significant fiscal implication to units of local government is anticipated.

Source Agencies: 212 Office of Court Administration, Texas Judicial Council

LBB Staff: UP, KJo, GDz