

Amend SB 1298 (house committee report) by striking SECTIONS 1 and 2 (page 1, lines 4-21), adding the following appropriately numbered SECTIONS, and renumbering existing SECTIONS accordingly:

SECTION \_\_\_\_\_. Article 19.01, Code of Criminal Procedure, is amended to read as follows:

Art. 19.01. SELECTION AND SUMMONS OF PROSPECTIVE GRAND JURORS. The district judge shall direct that the number of [20 to 125] prospective grand jurors the judge considers necessary to ensure an adequate number of jurors under Article 19.26 be selected and summoned, with return on summons, in the same manner as for the selection and summons of panels for the trial of civil cases in the district courts. The judge shall try the qualifications for and excuses from service as a grand juror and impanel the completed grand jury as provided by this chapter.

SECTION \_\_\_\_\_. Article 19.08, Code of Criminal Procedure, is amended to read as follows:

Art. 19.08. QUALIFICATIONS. A [No] person may [shall] be selected or serve as a grand juror only if the person [who does not possess the following qualifications]:

- (1) is at least 18 years of age;
- (2) is [1. The person must be] a citizen of the United States;
- (3) is a resident of this state, and of the county in which the person is to serve;
- (4) is [and be] qualified under the Constitution and laws to vote in the [said] county in which the grand jury is sitting, regardless of whether the person is registered [provided that the person's failure to register] to vote [shall not be held to disqualify the person in this instance];
- (5) is [2. The person must be] of sound mind and good moral character;
- (6) is [3. The person must be] able to read and write;
- (7) has not [4. The person must not have] been convicted of misdemeanor theft or a felony;
- (8) is not [5. The person must not be] under indictment or other legal accusation for misdemeanor theft or a felony;

(9) is [~~6. The person must~~] not [~~be~~] related within the third degree of consanguinity or second degree of affinity, as determined under Chapter 573, Government Code, to any person selected to serve or serving on the same grand jury;

(10) has [~~7. The person must~~] not [~~have~~] served as grand juror in the year before the date on which the term of court for which the person has been selected as grand juror begins; and

(11) is [~~8. The person must~~] not [~~be~~] a complainant in any matter to be heard by the grand jury during the term of court for which the person has been selected as a grand juror.

SECTION \_\_\_\_\_. The changes in law made by this Act apply to a grand jury impaneled on or after the effective date of this Act. A grand jury impaneled before the effective date of this Act is governed by the law in effect on the date the grand jury was impaneled, and the former law is continued in effect for that purpose.