

BILL ANALYSIS

C.S.H.B. 1102
By: Hernandez
Judiciary & Civil Jurisprudence
Committee Report (Substituted)

BACKGROUND AND PURPOSE

Interested parties are concerned that juror contact information listed in the jury wheel is insufficient to assemble an adequate number of prospective jurors for service. C.S.H.B. 1102 seeks to help secure more jurors for service by including an eligible juror's telephone number when available on such a juror's jury wheel card.

CRIMINAL JUSTICE IMPACT

It is the committee's opinion that this bill does not expressly create a criminal offense, increase the punishment for an existing criminal offense or category of offenses, or change the eligibility of a person for community supervision, parole, or mandatory supervision.

RULEMAKING AUTHORITY

It is the committee's opinion that this bill does not expressly grant any additional rulemaking authority to a state officer, department, agency, or institution.

ANALYSIS

C.S.H.B. 1102 amends the Government Code to include each applicable registered voter's telephone number, if available, in the current voter registration list the voter registrar of each county is required to furnish to the secretary of state for the purpose of reconstituting the county jury wheel and in the list contracted for by the commissioners court of a county under certain circumstances for such purpose. The bill requires telephone numbers, if available, of qualified prospective jurors to be written or typed, as applicable, on jury wheel cards.

C.S.H.B. 1102 amends the Election Code to make a telephone number furnished on a voter registration application confidential and to establish that such a telephone number does not constitute public information for purposes of state public information law. The bill prohibits the secretary of state from furnishing information in the statewide computerized voter registration list that includes a voter's telephone number.

EFFECTIVE DATE

On passage, or, if the bill does not receive the necessary vote, September 1, 2017.

COMPARISON OF ORIGINAL AND SUBSTITUTE

While C.S.H.B. 1102 may differ from the original in minor or nonsubstantive ways, the following comparison is organized and formatted in a manner that indicates the substantial differences between the introduced and committee substitute versions of the bill.

INTRODUCED

No equivalent provision.

HOUSE COMMITTEE SUBSTITUTE

SECTION 1. Sections 13.004(a) and (c), Election Code, are amended to read as follows:

(a) The registrar may ~~not~~ transcribe, copy, or otherwise record a telephone number furnished on a registration application only for purposes of reconstituting a jury wheel as provided by Sections 62.001 and 62.002, Government Code.

(c) The following information furnished on a registration application is confidential and does not constitute public information for purposes of Chapter 552, Government Code:

- (1) a social security number;
- (2) a Texas driver's license number;
- (3) a number of a personal identification card issued by the Department of Public Safety;
- (4) an indication that an applicant is interested in working as an election judge; ~~or~~
- (5) the residence address of the applicant, if the applicant is a federal judge or state judge, as defined by Section 13.0021, the spouse of a federal judge or state judge, or an individual to whom Section 552.1175, Government Code, applies and the applicant:
 - (A) included an affidavit with the registration application describing the applicant's status under this subdivision, including an affidavit under Section 13.0021 if the applicant is a federal judge or state judge or the spouse of a federal judge or state judge;
 - (B) provided the registrar with an affidavit describing the applicant's status under this subdivision, including an affidavit under Section 15.0215 if the applicant is a federal judge or state judge or the spouse of a federal judge or state judge; or
 - (C) provided the registrar with a completed form approved by the secretary of state for the purpose of notifying the registrar of the applicant's status under this subdivision; or
- (6) a telephone number.

No equivalent provision.

SECTION 2. Section 18.066(b), Election Code, is amended to read as follows:

(b) Information furnished under this section

may not include:

- (1) a voter's social security number; ~~[or]~~
- (2) the residence address of a voter who is a federal judge or state judge, as defined by Section 13.0021, or the spouse of a federal judge or state judge, if the voter included an affidavit with the voter's registration application under Section 13.0021 or the applicable registrar has received an affidavit submitted under Section 15.0215; or
- (3) a voter's telephone number.

SECTION 1. Sections 62.001(c) and (i), Government Code, are amended.

SECTION 3. Same as introduced version.

SECTION 2. Section 62.002, Government Code, is amended.

SECTION 4. Same as introduced version.

SECTION 3. This Act takes effect immediately if it receives a vote of two-thirds of all the members elected to each house, as provided by Section 39, Article III, Texas Constitution. If this Act does not receive the vote necessary for immediate effect, this Act takes effect September 1, 2017.

SECTION 5. Same as introduced version.