

By: Perry

S.B. No. 362

A BILL TO BE ENTITLED

AN ACT

relating to the use of information from the lists of noncitizens excused or disqualified from jury service.

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

SECTION 1. Subchapter C, Chapter 18, Election Code, is amended by adding Section 18.070 to read as follows:

Sec. 18.070. COMPARISON OF VOTING HISTORY INFORMATION TO CERTAIN INFORMATION REGARDING INELIGIBILITY. (a) The secretary of state shall annually compare the voting history information received under Section 18.069 to the information received under Section 62.113, Government Code.

(b) The secretary of state shall maintain a list of the name and address of each person who has been excused or disqualified from jury service because the person is not a citizen of the United States, compiled from each list created under Section 62.113, Government Code.

(c) The secretary of state may refer information the secretary has in connection with Subsection (a) to the attorney general in accordance with Section 31.006.

SECTION 2. Section 62.113, Government Code, is amended to read as follows:

Sec. 62.113. COMPILATION OF LIST OF NONCITIZENS. (a) The clerk of the court shall maintain a list of the name and address of each person who is excused or disqualified under this subchapter

1 from jury service because the person is not a citizen of the United
2 States.

3 (b) On the third business day of each month, the clerk shall
4 send a copy of the list of persons excused or disqualified because
5 of citizenship in the previous month to:

6 (1) the voter registrar of the county;

7 (2) the secretary of state; and

8 (3) the county or district attorney, as applicable,
9 for an investigation of whether the person committed an offense
10 under Section 13.007, Election Code, or other law.

11 (c) ~~[A list compiled under this section may not be used for a~~
12 ~~purpose other than a purpose described by Subsection (b) or Section~~
13 ~~16.0332 or 18.068, Election Code.~~

14 ~~[(d) A person commits an offense if the person violates~~
15 ~~Subsection (c). An offense under this section is a Class C~~
16 ~~misdemeanor.~~

17 ~~[(e)]~~ The information required to be filed with the
18 secretary of state under this section must be filed electronically.
19 The secretary of state may waive this requirement on application
20 for a waiver submitted by the clerk.

21 SECTION 3. An offense under Section 62.113(d), Government
22 Code, may not be prosecuted after the effective date of this Act.
23 If on the effective date of this Act a criminal action is pending
24 for an offense under that section, the action is dismissed on that
25 date. However, a final conviction for an offense under that section
26 that exists on the effective date of this Act is unaffected by this
27 Act.

1 SECTION 4. This Act takes effect immediately if it receives
2 a vote of two-thirds of all the members elected to each house, as
3 provided by Section 39, Article III, Texas Constitution. If this
4 Act does not receive the vote necessary for immediate effect, this
5 Act takes effect September 1, 2017.