

A BILL TO BE ENTITLED

AN ACT

relating to voter information used for juror selections.

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

SECTION 1. Sections 62.001(a), (b), (c), (f), (g), and (h), Government Code, are amended to read as follows:

(a) The jury wheel must be reconstituted by using, as the source:

(1) the names of all persons on the current statewide voter registration list maintained as required under Section 18.061, Election Code, [lists] from all the precincts in the county; and

(2) all names on a current list to be furnished by the Department of Public Safety as required by Subsection (f), showing the residents [citizens] of the county who:

(A) hold a valid Texas driver's license or a valid personal identification card or certificate issued by the department; and

(B) are not disqualified from jury service under Section 62.102(1), (2), (3), or (8) [~~(7)~~].

(b) Notwithstanding Subsection (a), the following names [of persons listed on a register of persons exempt from jury service] may not be placed in the jury wheel:

(1) the names of persons listed on a registrar of persons exempt from jury service[7] as provided by Sections 62.108

1 and 62.109; and

2 (2) the names of persons on the suspense list
3 maintained by the voter registrar under Section 15.081, Election
4 Code.

5 (c) Each year not later than the third Tuesday in November
6 or the date provided by Section 16.032, Election Code, for the
7 cancellation of voter registrations, whichever is earlier, the
8 voter registrar of each county shall furnish to the secretary of
9 state a list of people exempted from jury service under Subsection
10 (b) [current voter registration list from all the precincts in the
11 county that, except as provided by Subsection (d), includes:

12 [(1) the complete name, mailing address, date of
13 birth, voter registration number, and precinct number for each
14 voter,

15 [(2) if available, the Texas driver's license number
16 or personal identification card or certificate number and social
17 security number for each voter, and

18 [(3) any other information included on the voter
19 registration list of the county].

20 (f) The Department of Public Safety shall furnish a list to
21 the secretary of state that shows the names required under
22 Subsection (a)(2) and that contains any ~~[of the]~~ information
23 ~~[enumerated in Subsection (c) that is]~~ available to the department
24 regarding a person's residential address, mailing address, date of
25 birth, Texas driver's license number or personal identification
26 card or certificate number, social security number, [including]
27 citizenship status, and county of residence. The list shall

1 exclude the names of convicted felons, persons who are not citizens
2 of the United States, persons residing outside the county, and the
3 duplicate name of any registrant. The department shall furnish the
4 list to the secretary of state on or before the first Monday in
5 October of each year.

6 (g) The secretary of state shall accept the lists furnished
7 as provided by Subsections (c) and ~~[(c) through]~~ (f). The secretary
8 of state shall combine the list furnished under Subsection (f) with
9 the information on the statewide voter registration list maintained
10 by the voter registrar as required under Section 18.061, Election
11 Code, eliminate duplicate names and names of exempt persons on the
12 list provided to the secretary of state under Subsection (c)
13 ~~[lists, eliminate duplicate names]~~, and send the combined list to
14 each county on or before December 31 of each year or as may be
15 required under a plan developed in accordance with Section 62.011.
16 The district clerk or bailiff designated as the officer in charge of
17 the jury selection process for a county that has adopted a plan
18 under Section 62.011 shall give the secretary of state notice not
19 later than the 90th day before the date the list is required. The
20 list furnished the county ~~[must be in a format, electronic or~~
21 ~~printed copy, as requested by the county and]~~ must be certified by
22 the secretary of state stating that the list contains the names
23 required by Subsection (a) and excludes the names of exempt persons
24 provided to the secretary of state under Subsection ~~[Subsections~~
25 ~~(c) through]~~ (f), eliminating duplications. The secretary of state
26 shall furnish the electronic list free of charge.

27 (h) If the secretary of state is unable to furnish the list

1 as provided in this section because of the failure of the voter
2 registrar to furnish the information necessary to maintain the
3 statewide voter registration list as required under Section 18.061,
4 Election Code [~~county voter registration list to the secretary of~~
5 ~~state~~], the county tax assessor-collector, sheriff, county clerk,
6 and district clerk in the county shall meet at the county courthouse
7 between January 1 and January 15 of the following year and shall
8 reconstitute the jury wheel for the county, except as provided
9 under a plan adopted under Section 62.011. The deadlines included
10 in the plan control for preparing the list and reconstituting the
11 wheel. The secretary of state shall send the list furnished by the
12 Department of Public Safety as provided by Subsection (f) to the
13 voter registrar, who shall combine the lists as described in this
14 section for use as the juror source and certify the combined list as
15 required of the secretary of state under Subsection (g).

16 SECTION 2. Section 62.011, Government Code, is amended by
17 amending Subsection (d) and adding Subsection (e) to read as
18 follows:

19 (d) A state agency or the secretary of state may not charge a
20 fee for furnishing an electronic [~~a~~] list of names required by
21 Section 62.001.

22 (e) The commissioners court of a county that has adopted a
23 jury selection plan must file with the Office of Court
24 Administration of the Texas Judicial System a copy of the plan and
25 any modification to the plan.

26 SECTION 3. Section 62.113, Government Code, is amended by
27 adding Subsection (b-1) and amending Subsection (e) to read as

1 follows:

2 (b-1) The list of persons excused or disqualified because of
3 citizenship as required by Subsection (b) may not be combined with
4 or submitted simultaneously with any other list required to be
5 submitted to the voter registrar of the county, including a list
6 submitted under Section 62.114.

7 (e) The information required to be filed with the secretary
8 of state under this section must be filed electronically in the
9 format prescribed by the secretary of state. The secretary of state
10 may waive this requirement on application for a waiver submitted by
11 the clerk.

12 SECTION 4. Section 62.114, Government Code, is amended by
13 adding Subsection (e) to read as follows:

14 (e) The list compiled under this section of persons excused
15 or disqualified because the person is not a resident of the county
16 may not be combined with or submitted simultaneously with any other
17 list required to be submitted to the voter registrar of the county,
18 including a list submitted under Section 62.113.

19 SECTION 5. Sections 62.001(d) and (e), Government Code, are
20 repealed.

21 SECTION 6. This Act takes effect September 1, 2017.