

1-1 By: Creighton S.B. No. 2020  
 1-2 (In the Senate - Filed March 10, 2017; March 27, 2017, read  
 1-3 first time and referred to Committee on State Affairs;  
 1-4 April 18, 2017, reported adversely, with favorable Committee  
 1-5 Substitute by the following vote: Yeas 9, Nays 0; April 18, 2017,  
 1-6 sent to printer.)

1-7 COMMITTEE VOTE

|      | Yea | Nay | Absent | PNV |
|------|-----|-----|--------|-----|
| 1-8  |     |     |        |     |
| 1-9  | X   |     |        |     |
| 1-10 | X   |     |        |     |
| 1-11 | X   |     |        |     |
| 1-12 | X   |     |        |     |
| 1-13 | X   |     |        |     |
| 1-14 | X   |     |        |     |
| 1-15 | X   |     |        |     |
| 1-16 | X   |     |        |     |
| 1-17 | X   |     |        |     |

1-18 COMMITTEE SUBSTITUTE FOR S.B. No. 2020 By: Creighton

1-19 A BILL TO BE ENTITLED  
 1-20 AN ACT

1-21 relating to voter information used for juror selections.  
 1-22 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:  
 1-23 SECTION 1. Sections 62.001(a), (b), (c), (f), (g), and (h),  
 1-24 Government Code, are amended to read as follows:  
 1-25 (a) The jury wheel must be reconstituted by using, as the  
 1-26 source:  
 1-27 (1) the names of all persons on the current statewide  
 1-28 voter registration list maintained as required under Section  
 1-29 18.061, Election Code, [lists] from all the precincts in the  
 1-30 county; and  
 1-31 (2) all names on a current list to be furnished by the  
 1-32 Department of Public Safety as required by Subsection (f), showing  
 1-33 the residents [citizens] of the county who:  
 1-34 (A) hold a valid Texas driver's license or a  
 1-35 valid personal identification card or certificate issued by the  
 1-36 department; and  
 1-37 (B) are not disqualified from jury service under  
 1-38 Section 62.102(1), (2), (3), or (8) [~~(7)~~].  
 1-39 (b) Notwithstanding Subsection (a), the following names [of  
 1-40 persons listed on a register of persons exempt from jury service]  
 1-41 may not be placed in the jury wheel:  
 1-42 (1) the names of persons listed on a registrar of  
 1-43 persons exempt from jury service [r] as provided by Sections 62.108  
 1-44 and 62.109; and  
 1-45 (2) the names of persons on the suspense list  
 1-46 maintained by the voter registrar under Section 15.081, Election  
 1-47 Code.  
 1-48 (c) Each year not later than the third Tuesday in November  
 1-49 or the date provided by Section 16.032, Election Code, for the  
 1-50 cancellation of voter registrations, whichever is earlier, the  
 1-51 voter registrar of each county shall furnish to the secretary of  
 1-52 state a list of people exempted from jury service under Subsection  
 1-53 (b) [current voter registration list from all the precincts in the  
 1-54 county that, except as provided by Subsection (d), includes:  
 1-55 [~~(1) the complete name, mailing address, date of~~  
 1-56 ~~birth, voter registration number, and precinct number for each~~  
 1-57 ~~voter,~~  
 1-58 [~~(2) if available, the Texas driver's license number~~  
 1-59 ~~or personal identification card or certificate number and social~~  
 1-60 ~~security number for each voter; and~~

2-1 ~~[(3) any other information included on the voter~~  
2-2 ~~registration list of the county].~~

2-3 (f) The Department of Public Safety shall furnish a list to  
2-4 the secretary of state that shows the names required under  
2-5 Subsection (a)(2) and that contains any ~~[of the]~~ information  
2-6 ~~[enumerated in Subsection (c) that is]~~ available to the department  
2-7 regarding a person's residential address, mailing address, date of  
2-8 birth, Texas driver's license number or personal identification  
2-9 card or certificate number, social security number, ~~[including]~~  
2-10 citizenship status, and county of residence. The list shall  
2-11 exclude the names of convicted felons, persons who are not citizens  
2-12 of the United States, persons residing outside the county, and the  
2-13 duplicate name of any registrant. The department shall furnish the  
2-14 list to the secretary of state on or before the first Monday in  
2-15 October of each year.

2-16 (g) The secretary of state shall accept the lists furnished  
2-17 as provided by Subsections (c) and ~~[(c) through]~~ (f). The secretary  
2-18 of state shall combine the list furnished under Subsection (f) with  
2-19 the information on the statewide voter registration list maintained  
2-20 by the voter registrar as required under Section 18.061, Election  
2-21 Code, eliminate duplicate names and names of exempt persons on the  
2-22 list provided to the secretary of state under Subsection (c)  
2-23 ~~[lists, eliminate duplicate names],~~ and send the combined list to  
2-24 each county on or before December 31 of each year or as may be  
2-25 required under a plan developed in accordance with Section 62.011.  
2-26 The district clerk or bailiff designated as the officer in charge of  
2-27 the jury selection process for a county that has adopted a plan  
2-28 under Section 62.011 shall give the secretary of state notice not  
2-29 later than the 90th day before the date the list is required. The  
2-30 list furnished the county ~~[must be in a format, electronic or~~  
2-31 ~~printed copy, as requested by the county and]~~ must be certified by  
2-32 the secretary of state stating that the list contains the names  
2-33 required by Subsection (a) and excludes the names of exempt persons  
2-34 provided to the secretary of state under Subsection ~~[Subsections~~  
2-35 ~~(c) through]~~ (f), eliminating duplications. The secretary of state  
2-36 shall furnish the electronic list free of charge.

2-37 (h) If the secretary of state is unable to furnish the list  
2-38 as provided in this section because of the failure of the voter  
2-39 registrar to furnish the information necessary to maintain the  
2-40 statewide voter registration list as required under Section 18.061,  
2-41 Election Code ~~[county voter registration list to the secretary of~~  
2-42 ~~state],~~ the county tax assessor-collector, sheriff, county clerk,  
2-43 and district clerk in the county shall meet at the county courthouse  
2-44 between January 1 and January 15 of the following year and shall  
2-45 reconstitute the jury wheel for the county, except as provided  
2-46 under a plan adopted under Section 62.011. The deadlines included  
2-47 in the plan control for preparing the list and reconstituting the  
2-48 wheel. The secretary of state shall send the list furnished by the  
2-49 Department of Public Safety as provided by Subsection (f) to the  
2-50 voter registrar, who shall combine the lists as described in this  
2-51 section for use as the juror source and certify the combined list as  
2-52 required of the secretary of state under Subsection (g).

2-53 SECTION 2. Section 62.011, Government Code, is amended by  
2-54 amending Subsection (d) and adding Subsection (e) to read as  
2-55 follows:

2-56 (d) A state agency or the secretary of state may not charge a  
2-57 fee for furnishing an electronic ~~[a]~~ list of names required by  
2-58 Section 62.001.

2-59 (e) The commissioners court of a county that has adopted a  
2-60 jury selection plan must file with the Office of Court  
2-61 Administration of the Texas Judicial System a copy of the plan and  
2-62 any modification to the plan.

2-63 SECTION 3. Section 62.113, Government Code, is amended by  
2-64 adding Subsection (b-1) and amending Subsection (e) to read as  
2-65 follows:

2-66 (b-1) The list of persons excused or disqualified because of  
2-67 citizenship as required by Subsection (b) may not be combined with  
2-68 or submitted simultaneously with any other list required to be  
2-69 submitted to the voter registrar of the county, including a list

3-1 submitted under Section 62.114.

3-2 (e) The information required to be filed with the secretary  
3-3 of state under this section must be filed electronically in the  
3-4 format prescribed by the secretary of state. The secretary of state  
3-5 may waive this requirement on application for a waiver submitted by  
3-6 the clerk.

3-7 SECTION 4. Section 62.114, Government Code, is amended by  
3-8 adding Subsection (e) to read as follows:

3-9 (e) The list compiled under this section of persons excused  
3-10 or disqualified because the person is not a resident of the county  
3-11 may not be combined with or submitted simultaneously with any other  
3-12 list required to be submitted to the voter registrar of the county,  
3-13 including a list submitted under Section 62.113.

3-14 SECTION 5. Sections 62.001(d) and (e), Government Code, are  
3-15 repealed.

3-16 SECTION 6. This Act takes effect September 1, 2017.

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