

By: Schaefer

H.B. No. 480

Substitute the following for H.B. No. 480:

By: Moody

C.S.H.B. No. 480

A BILL TO BE ENTITLED

AN ACT

relating to a challenge to a grand juror and the recording of certain proceedings relating to the grand jury.

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

SECTION 1. Chapter 19, Code of Criminal Procedure, is amended by adding Article 19.211 to read as follows:

Art. 19.211. RECORDING OF CERTAIN PROCEEDINGS RELATING TO GRAND JURY. A stenographer or a person operating an electronic recording device capable of recording sound shall record:

(1) an interrogation of a prospective grand juror that is conducted under Article 19.22;

(2) a challenge to the array under Article 19.30;

(3) a challenge to a prospective grand juror under Article 19.31;

(4) an oath administered to grand jurors under Article 19.34; and

(5) the court's instructions to the grand jury under Article 19.35.

SECTION 2. Article 19.31, Code of Criminal Procedure, is amended by adding Subsection (b-1) to read as follows:

(b-1) The court shall allow the attorney representing the state a reasonable opportunity to question a grand juror in order to determine whether the juror may be challenged under Subsection (a)(1), (2), (3), (4), (7), or (10).

1 SECTION 3. The change in law made by this Act applies to a
2 grand jury impaneled on or after the effective date of this Act. A
3 grand jury impaneled before the effective date of this Act is
4 governed by the law in effect on the date the grand jury was
5 impaneled, and the former law is continued in effect for that
6 purpose.

7 SECTION 4. This Act takes effect September 1, 2019.