

## **BILL ANALYSIS**

H.B. 4674  
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Judiciary & Civil Jurisprudence  
Committee Report (Unamended)

### **BACKGROUND AND PURPOSE**

Current procedures for juror summoning need to be clarified. Simplified juror summoning and scheduling, as well as the use of electronic communications, would allow clerks and counties to more efficiently manage juror attendance. H.B. 4674 seeks to address these issues as well as the question of whether a court clerk has the authority to complete the entire summoning process.

### **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**

H.B. 4674 amends the Government Code to revise provisions relating to the donation of a juror's reimbursement as follows:

- gives a person who reports to jury service the option to electronically direct an appropriate county official to donate the person's reimbursement as an alternative to directing the official to do so in writing;
- gives the person the option to direct a designated county employee to make the donation as an alternative to directing the county treasurer to do so; and
- gives the person the option to donate their entire daily reimbursement divided among the specified funds, programs, and county entities, as an alternative to donating all or a specific amount to one of the specified entities.

H.B. 4674 gives a court clerk, on receiving the notice from the judge of the date that the prospective jurors are to be summoned to appear for jury service, the option to summon prospective jurors directly in the same manner a sheriff or constable would summon a juror, as an alternative to delivering the jury list to the applicable sheriff or constable.

H.B. 4674 requires the model for a uniform written jury summons in Texas, developed and maintained by the Office of Court Administration of the Texas Judicial System, to include the following:

- the option to provide the electronic address of the court's website on which is posted the exemptions and restrictions governing jury service as an alternative to providing the exemptions and restrictions directly;
- notice of the contempt action to which a person summoned for jury service is subject for failure to comply with the jury summons; and
- the option to:

- include in the jury summons the juror questionnaire;
- provide the electronic address of the court's website from which the juror questionnaire may be easily printed; and
- in counties in which the district and criminal district judges adopted a plan for an electronic jury selection method, provide the electronic address of the court's website for the prospective juror to access and complete the juror questionnaire.

The bill requires a written jury summons to be 3-1/2 by 5 inches or larger. The bill requires the questionnaire that accompanies the jury summons to require a person to provide any electronic address of the person.

H.B. 4674 makes the requirement for a district clerk to promptly notify the county voter registrar of the name and address of each person who is exempted from jury service apply only to a person who is permanently exempted and makes the requirement for the voter registrar to keep a register of persons exempt from jury service due to physical or mental impairment or an inability to comprehend English apply only to persons who are permanently exempt.

H.B. 4674 requires a court clerk to maintain a list of the name and address of each person who is disqualified from jury service because the person was convicted of misdemeanor theft or a felony. The bill requires such a person to be permanently disqualified from serving as a juror, except if the person:

- was placed on deferred adjudication and received a dismissal and discharge;
- was placed on community supervision and the period of community supervision was terminated early; or
- was pardoned or has had the person's civil rights restored.

The bill authorizes a district clerk to remove from the jury wheel the jury wheel card for a person whose name appears on the list. The bill also includes noncitizens and nonresidents among the persons who may not be placed in the jury wheel.

H.B. 4674 requires the clerk, on the third business day of each month, to send to the secretary of state a copy of the list of persons disqualified because of a conviction of misdemeanor theft or a felony in the preceding month.

H.B. 4674 repeals Sections 62.0111(c) and 62.0132(b), Government Code.

**EFFECTIVE DATE**

September 1, 2023.