

## **BILL ANALYSIS**

C.S.H.B. 745

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Judiciary & Civil Jurisprudence  
Committee Report (Substituted)

### **BACKGROUND AND PURPOSE**

Under Texas law, individuals can claim an exemption from petit jury service, and the corresponding obligation to attend court to sit on a venire panel, if they meet certain qualifications, such as over the age of 75, a student in secondary school, or the primary caretaker of a child.

While victims of crimes, as well as the close relatives of deceased victims of crime, may suffer emotional trauma as a result of testifying about the crime in open court they that would relive if they were forced to enter a courthouse, and might even be stricken from a venire panel for cause because of such trauma, Texas law does not provide an exemption from petit jury service for individuals in this circumstance.

C.S.H.B. 745 allows victims, and close relatives of deceased victims, of certain crimes to claim an exemption from jury service, and the corresponding obligation to travel to the courthouse to sit on a venire panel, if they testified in a court proceeding relating to the offense of which they, or their deceased close relative, was a victim, and they would suffer severe anxiety or post traumatic stress from having to attend jury service.

### **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**

C.S.H.B. 745 amends the Government Code to exempt a person who is a victim or close relative of a deceased victim of a crime from jury service if the person testified in a court proceeding relating to the offense of which the person or the person's deceased close relative was a victim and would suffer severe anxiety or post-traumatic stress as a result of attending a court proceeding. The bill defines "victim" and "close relative of a deceased victim" by reference to Code of Criminal Procedure provisions relating to the rights of crime victims as follows:

- "victim" as a person who is the victim of the offense of sexual assault, kidnapping, aggravated robbery, trafficking of persons, or injury to a child, elderly individual, or disabled individual or who has suffered personal injury or death as a result of the criminal conduct of another; and
- "close relative of a deceased victim" as a person who was the spouse of a deceased victim at the time of the victim's death or who is a parent or adult brother, sister, or child of a deceased victim.

The bill applies only to an exemption from jury service for a person who is summoned to appear for service on or after the bill's effective date. An exemption from jury service for a person who is summoned to appear for service before the bill's effective date is covered by the law in effect when the person was summoned, and that law is continued in effect for that purpose.

#### **EFFECTIVE DATE**

September 1, 2025.

#### **COMPARISON OF INTRODUCED AND SUBSTITUTE**

While C.S.H.B. 745 may differ from the introduced in minor or nonsubstantive ways, the following summarizes the substantial differences between the introduced and committee substitute versions of the bill.

Both the introduced and the substitute exempt a person who is a victim or close relative of a deceased victim of a crime from jury service if the person testified in a court proceeding relating to the offense of which the person or the person's deceased close relative was a victim. However, the substitute also includes as a condition of such a person's eligibility for this exemption that the person would suffer severe anxiety or post-traumatic stress as a result of attending a court proceeding, whereas the introduced did not.