

BILL ANALYSIS

Senate Research Center
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C.S.S.B. 1888
By: Sparks
State Affairs
5/1/2025
Committee Report (Substituted)

AUTHOR'S / SPONSOR'S STATEMENT OF INTENT

Many small, rural counties in Texas struggle to seat juries due to a limited number of eligible residents. Trials may be delayed or moved to other jurisdictions, which can be costly and inconvenient. For example, Loving County has not been able to hold a jury trial since at least 1992. Often, even when a county can get enough jurors together there is a very good chance that at least one of the jurors will know somebody involved in the trial and therefore disqualify them from participating.

This bill would allow counties with a population under 25,000 to use residents from nearby counties to fill their jury pools. It applies to both voter registration lists and driver's license records from contiguous counties. A person from a neighboring county must still meet all other jury qualifications. This will help small counties find enough jurors to prosecute crime in their communities.

(Original Author's/Sponsor's Statement of Intent)

C.S.S.B. 1888 amends current law relating to reconstitution of the petit jury wheel and grand juror and petit juror qualifications in certain counties.

RULEMAKING AUTHORITY

This bill does not expressly grant any additional rulemaking authority to a state officer, institution, or agency.

SECTION BY SECTION ANALYSIS

SECTION 1. Amends Article 19A.101, Code of Criminal Procedure, by amending Subsection (a) and adding Subsection (a-1), as follows:

(a) Creates an exception under Subsection (a-1).

(a-1) Provides that a person is not disqualified under Subsections (a)(3) (relating to providing that a person is authorized to serve as a grand juror only if the person is a resident of this state and of the county in which the person is to serve as a juror) and (4) (relating to providing that a person is authorized to serve as a grand juror only if the person is qualified under the constitution and other laws to vote in the county in which the person is to serve as a juror) to serve as a grand juror in a county with a population of less than 1,000 if that person is a resident of a county contiguous to and within the same judicial district as the summoning county and qualified under the constitution and laws to vote in the contiguous county.

SECTION 2. Amends Article 19A.201, Code of Criminal Procedure, by adding Subsection (a-1), as follows:

(a-1) Authorizes grand jurors, notwithstanding Subsection (a) (relating to requiring the court to select 12 fair and impartial persons as grand jurors and four additional persons as alternate grand jurors to serve upon disqualification or unavailability of a grand juror), in a county with a population of less than 1,000, to be randomly selected from a fair cross

section of the population of one or more counties contiguous to and within the same judicial district as the summoning county who hold a valid Texas driver's license issued by the Department of Public Safety (DPS) and are not disqualified from grand jury service under certain provisions of Article 19A.101(a) (relating to providing that a person is authorized to serve as a grand juror only if the person meets certain qualifications).

SECTION 3. Amends Section 62.001, Government Code, by amending Subsections (a), (b), and (d) and adding Subsection (a-1), as follows:

(a) Requires that the jury wheel, except as provided by Subsection (a-1), be reconstituted by using certain information as the source, including all names on a current list to be furnished by DPS, showing the residents, rather than citizens, of the county who meet certain requirements. Makes nonsubstantive changes.

(a-1) Authorizes the jury wheel, in a county with a population of less than 1,000, to be reconstituted by using, in addition to the sources required under Subsection (a):

(1) the names of all persons on the current voter registration lists from all the precincts in one or more counties contiguous to and within the same judicial district as the summoning county; and

(2) all names on a list required by Subsection (a)(1) (relating to requiring that the jury wheel be reconstituted by using the names of all persons on the current voter registration lists from all precincts in the county) showing the residents of one or more counties contiguous to and within the same judicial district as the summoning county who meet certain requirements.

(b) Prohibits the names of persons listed on a register of persons exempt from jury service, notwithstanding Subsection (a) or (a-1), from being placed in the jury wheel, as provided by certain sections of Chapter 62 (Petit Juries).

(d) Requires that the lists required by Subsections (a)(1) and (a-1)(1) exclude the names of persons on the suspense list maintained under Section 15.081 (Suspense List), Election Code. Makes nonsubstantive changes.

SECTION 4. Amends Section 62.0132(g), Government Code, to makes a nonsubstantive change.

SECTION 5. Amends Section 62.102, Government Code, as follows:

Sec. 62.102. GENERAL QUALIFICATIONS FOR JURY SERVICE. (a) Creates this subsection from existing text and creates an exception under Subsection (b).

(b) Provides that a person is not disqualified under Subsections (a)(3) (relating to providing that a person is disqualified to serve as a petit juror unless the person is a resident of this state and of the county in which the person is to serve as a juror) and (4) (relating to providing that a person is disqualified to serve as a petit juror unless the person is qualified under the constitution and laws to vote in the county in which the person is to serve as a juror) to serve as a juror in a county with a population of less than 1,000 if that person is a resident of a county contiguous to and within the same judicial district as the summoning county and qualified under the constitution and laws to vote in the contiguous county.

SECTION 6. Makes application of this Act prospective.

SECTION 7. Effective date: September 1, 2025.