

By: DeAyala

H.B. No. 2637

A BILL TO BE ENTITLED

AN ACT

relating to the practice and procedures for summoning prospective grand jurors and petit jurors and the exemption of certain persons from grand jury and petit jury service.

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

SECTION 1. Article 19A.051(c), Code of Criminal Procedure, is amended to read as follows:

(c) The judge shall test the qualifications for and exemptions [~~excuses~~] from service as a grand juror and impanel the completed grand jury as provided by this chapter.

SECTION 2. The heading to Subchapter C, Chapter 19A, Code of Criminal Procedure, is amended to read as follows:

SUBCHAPTER C. GRAND JUROR QUALIFICATIONS; EXEMPTIONS [~~EXCUSES~~]  
FROM SERVICE

SECTION 3. Article 19A.101, Code of Criminal Procedure, is amended to read as follows:

Art. 19A.101. GRAND JUROR QUALIFICATIONS; LISTS OF DISQUALIFIED PERSONS. (a) A person may be selected or serve as a grand juror only if the person:

- (1) is at least 18 years of age;
- (2) is a citizen of the United States;
- (3) is a resident of this state and of the county in which the person is to serve;
- (4) is qualified under the constitution and other laws

1 to vote in the county in which the grand jury is sitting, regardless  
2 of whether the person is registered to vote;

3 (5) is of sound mind and good moral character;

4 (6) is able to read and write;

5 (7) has never been convicted of misdemeanor theft [~~or~~  
6 ~~a felony~~];

7 (8) has never been convicted of a felony;

8 (9) is not under indictment or other legal accusation  
9 for misdemeanor theft or a felony;

10 (10) [~~(9)~~] is not related within the third degree by  
11 consanguinity or second degree by affinity, as determined under  
12 Chapter 573, Government Code, to any person selected to serve or  
13 serving on the same grand jury;

14 (11) [~~(10)~~] has not served as a grand juror in the year  
15 before the date on which the term of court for which the person has  
16 been selected as a grand juror begins; and

17 (12) [~~(11)~~] is not a complainant in any matter to be  
18 heard by the grand jury during the term of court for which the  
19 person has been selected as a grand juror.

20 (b) On the third business day of each month, the clerk of the  
21 district court shall prepare:

22 (1) a list of persons who in the preceding month were  
23 disqualified from serving as a grand juror based on the person's  
24 citizenship [~~or indictment or conviction for misdemeanor theft or a~~  
25 ~~felony~~] and send a copy of the list to:

26 (A) [~~(1)~~] the secretary of state;

27 (B) the voter registrar for the county in which

1 the grand jury is sitting; and

2 (C) [~~(2)~~] the prosecuting attorney for the court  
3 to which the grand jurors were summoned for investigation into  
4 whether any person made a false claim concerning the person's  
5 qualification under Subsection (a)(2);

6 (2) a list of persons who in the preceding month were  
7 disqualified from serving as a grand juror based on the person's  
8 residency and send a copy of the list to:

9 (A) the secretary of state; and

10 (B) the voter registrar for the county in which  
11 the grand jury is sitting; and

12 (3) a list of persons who in the preceding month were  
13 disqualified from serving as a grand juror based on the person's  
14 indictment or conviction for misdemeanor theft or a felony and send  
15 a copy of the list to:

16 (A) the secretary of state;

17 (B) the voter registrar for the county in which  
18 the grand jury is sitting; and

19 (C) the prosecuting attorney for the court to  
20 which the grand jurors were summoned for investigation into whether  
21 any person made a false claim concerning the person's qualification  
22 under Subsection (a)(7), (8), or (9) [~~(7), or (8)~~].

23 SECTION 4. Article 19A.105, Code of Criminal Procedure, is  
24 amended to read as follows:

25 Art. 19A.105. EXCUSE AND EXEMPTION [~~EXCUSES~~] FROM GRAND  
26 JURY SERVICE. (a) The court shall excuse from serving any  
27 summoned person who does not possess the requisite qualifications

1 or who claims an exemption to which the person is entitled.

2 (b) The following qualified persons may claim an exemption  
3 ~~[be excused]~~ from grand jury service:

4 (1) a person who is 75 years of age or older ~~[than 70~~  
5 ~~years of age]~~;

6 (2) a person responsible for the care of a child who is  
7 younger than 18 years of age and who will be without adequate  
8 supervision if the person serves on the grand jury;

9 (3) a student of a public or private secondary school;

10 (4) a person enrolled in and in actual attendance at an  
11 institution of higher education; and

12 (5) any other person the court determines has a  
13 reasonable excuse from service.

14 SECTION 5. Subchapter C, Chapter 19A, Code of Criminal  
15 Procedure, is amended by adding Articles 19A.106 and 19A.107 to  
16 read as follows:

17 Art. 19A.106. PERMANENT EXEMPTION FOR ELDERLY. (a) A  
18 person who is entitled to exemption from grand jury service because  
19 the person is 75 years of age or older may establish a permanent  
20 exemption on that ground as provided by this article.

21 (b) A person may claim a permanent exemption by filing with  
22 the district clerk, through an electronic transmission, mail, or  
23 personal delivery, a signed statement affirming the person is 75  
24 years of age or older and desires a permanent exemption on that  
25 ground.

26 (c) The district clerk shall maintain a current register of  
27 the name of each person who resides in the county and who has

1 claimed and is entitled to a permanent exemption from grand jury  
2 service because the person is 75 years of age or older.

3 (d) A person whose name appears on the register of persons  
4 permanently exempted from serving as a grand juror under this  
5 article may not be selected or summoned for grand jury service by  
6 any district judge in the county.

7 (e) A person who has claimed a permanent exemption from jury  
8 service under this article may rescind the exemption at any time by  
9 filing a signed request for the rescission with the district clerk.  
10 Rescission of a permanent exemption does not affect the right of a  
11 person who is 75 years of age or older to claim a permanent  
12 exemption at a later time.

13 Art. 19A.107. LIST OF DISQUALIFIED CONVICTED PERSONS. (a)  
14 The district clerk shall maintain a list of the name and address of  
15 each person who is disqualified under this subchapter from grand  
16 jury service because the person was convicted of misdemeanor theft  
17 or a felony.

18 (b) A person who was convicted of misdemeanor theft or a  
19 felony is permanently disqualified from serving as a juror.

20 (c) A person whose name appears on the list maintained under  
21 this article may not be selected or summoned for grand jury service  
22 by any judge of a district court served by the clerk.

23 (d) On the third business day of each month, the district  
24 clerk shall send a copy of the list maintained under this article  
25 to:

26 (1) the secretary of state;

27 (2) the voter registrar for the county in which the

1 grand jury is sitting; and

2 (3) the prosecuting attorney for the court to which  
3 the grand jurors were summoned for investigation into whether any  
4 person made a false claim concerning the person's qualification  
5 under Article 19A.101(a)(7) or (8).

6 SECTION 6. Sections 62.001(a) and (b), Government Code, are  
7 amended to read as follows:

8 (a) The jury wheel must be reconstituted by using, as the  
9 source:

10 (1) the names of all persons on the current voter  
11 registration lists from all the precincts in the county; and

12 (2) all names on a current list to be furnished by the  
13 Department of Public Safety, showing the citizens of the county  
14 who:

15 (A) hold a valid Texas driver's license or a  
16 valid personal identification card or certificate issued by the  
17 department; and

18 (B) are not disqualified from jury service under  
19 Section 62.102(1), (2), (3), (7), or (8).

20 (b) Notwithstanding Subsection (a), the names of persons  
21 listed on a register of persons exempt from jury service may not be  
22 placed in the jury wheel, as provided by Sections 62.108 and~~[7]~~  
23 62.109 [~~62.113, 62.114, and 62.115~~].

24 SECTION 7. Section 62.0132(g), Government Code, is amended  
25 to read as follows:

26 (g) The information contained in a completed questionnaire  
27 may be disclosed to:

(1) a judge assigned to hear a cause of action in which the respondent to the questionnaire is a potential juror;

(2) court personnel;

(3) a litigant and a litigant's attorney in a cause of action in which the respondent to the questionnaire is a potential juror; and

(4) other than information provided that is related to Section 62.102(2), (3), (7), (8), or (9) [~~62.102(8) or (9)~~], the voter registrar of a county in connection with any matter of voter registration or the administration of elections.

SECTION 8. Section 62.102, Government Code, is amended to read as follows:

Sec. 62.102. GENERAL QUALIFICATIONS FOR JURY SERVICE. A person is disqualified to serve as a petit juror unless the person:

(1) is at least 18 years of age;

(2) is a citizen of the United States;

(3) is a resident of this state and of the county in which the person is to serve as a juror;

(4) is qualified under the constitution and laws to vote in the county in which the person is to serve as a juror;

(5) is of sound mind and good moral character;

(6) is able to read and write;

(7) [~~has not served as a petit juror for six days during the preceding three months in the county court or during the preceding six months in the district court,~~

~~(8)~~] has not been convicted of misdemeanor theft [~~or a felony~~];

1           (8) has not been convicted of a felony; ~~and~~

2           (9) is not under indictment or other legal accusation  
3 for misdemeanor theft or a felony; and

4           (10) has not served as a petit juror for six days  
5 during the preceding three months in the county court or during the  
6 preceding six months in the district court.

7           SECTION 9. Section 62.106(a), Government Code, is amended  
8 to read as follows:

9           (a) A person qualified to serve as a petit juror may  
10 establish an exemption from jury service if the person:

11           (1) is ~~over~~ 75 years of age or older;

12           (2) has legal custody of a child younger than 12 years  
13 of age and the person's service on the jury requires leaving the  
14 child without adequate supervision;

15           (3) is a student of a public or private secondary  
16 school;

17           (4) is a person enrolled and in actual attendance at an  
18 institution of higher education;

19           (5) is an officer or an employee of the senate, the  
20 house of representatives, or any department, commission, board,  
21 office, or other agency in the legislative branch of state  
22 government;

23           (6) is summoned for service in a county with a  
24 population of at least 200,000, unless that county uses a jury plan  
25 under Section 62.011 and the period authorized under Section  
26 62.011(b)(5) exceeds two years, and the person has served as a petit  
27 juror in the county during the 24-month period preceding the date



1 the person is to appear for jury service;

2 (7) is the primary caretaker of a person who is unable  
3 to care for himself or herself;

4 (8) except as provided by Subsection (b), is summoned  
5 for service in a county with a population of at least 250,000 and  
6 the person has served as a petit juror in the county during the  
7 three-year period preceding the date the person is to appear for  
8 jury service; or

9 (9) is a member of the United States military forces  
10 serving on active duty and deployed to a location away from the  
11 person's home station and out of the person's county of residence.

12 SECTION 10. Section 62.107(c), Government Code, is amended  
13 to read as follows:

14 (c) A person who files a statement with a clerk of the court,  
15 as provided by Subsection (a), claiming an exemption because the  
16 person is ~~[over]~~ 75 years of age or older, may also claim the  
17 permanent exemption on that ground authorized by Section 62.108 by  
18 including in the statement filed with the clerk a declaration that  
19 the person desires the permanent exemption. The ~~[Promptly after a~~  
20 ~~statement claiming a permanent exemption on the basis of age is~~  
21 ~~filed, the]~~ clerk of the court with whom the declaration ~~[it]~~ is  
22 filed shall notify the secretary of state and ~~[have a copy delivered~~  
23 ~~to]~~ the voter registrar of the county.

24 SECTION 11. Sections 62.108(a), (b), (c), and (e),  
25 Government Code, are amended to read as follows:

26 (a) A person who is entitled to exemption from jury service  
27 because the person is ~~[over]~~ 75 years of age or older may establish

1 a permanent exemption on that ground as provided by this section or  
2 Section 62.107.

3 (b) A person may claim a permanent exemption:

4 (1) by filing with the district clerk [~~voter~~  
5 ~~registrar~~] of the county, by mail or personal delivery, a signed  
6 statement affirming that the person is [~~over~~] 75 years of age or  
7 older and desires a permanent exemption on that ground; or

8 (2) in the manner provided by Section 62.107(c).

9 (c) The district clerk [~~voter registrar~~] of the county shall  
10 maintain a current register indicating the name of each person who  
11 has claimed and is entitled to a permanent exemption from jury  
12 service because the person is [~~over~~] 75 years of age or older.

13 (e) A person who has claimed a permanent exemption from jury  
14 service because the person is [~~over~~] 75 years of age or older may  
15 rescind the exemption at any time by filing a signed request for the  
16 rescission with the voter registrar of the county. Rescission of a  
17 permanent exemption does not affect the right of a person who is  
18 [~~over~~] 75 years of age or older to claim permanent exemption at a  
19 later time.

20 SECTION 12. Section 62.109, Government Code, is amended by  
21 amending Subsections (a), (b), (d), and (e) and adding Subsection  
22 (b-1) to read as follows:

23 (a) The judge of a district court or the district clerk [~~by~~  
24 ~~order~~] may permanently or for a specified period exempt from  
25 service as a juror in all the county and district courts in the  
26 county a person with a physical or mental impairment or with an  
27 inability to comprehend or communicate in the English language that

1 makes it impossible or very difficult for the person to serve on a  
2 jury.

3 (b) A person requesting an exemption under this section must  
4 submit to the court or the district clerk an affidavit stating the  
5 person's name and address and the reason for and the duration of the  
6 requested exemption. A person requesting an exemption due to a  
7 physical or mental impairment must attach to the affidavit a  
8 statement from a physician. The affidavit and physician's  
9 statement may be submitted to the court at the time the person is  
10 summoned for jury service or at any other time.

11 (b-1) The district clerk shall maintain a current list  
12 indicating the name of each person permanently or temporarily  
13 exempt under this section and the period of the exemption.

14 (d) A person included on the list maintained under  
15 Subsection (b-1) [~~listed on the register~~] may not be summoned for  
16 jury service during the period for which the person is exempt. The  
17 name of a person included on the list maintained under Subsection  
18 (b-1) [~~listed on the register~~] may not be placed in the jury wheel  
19 or otherwise used in preparing the record of names from which a jury  
20 list is selected during the period for which the person is exempt.

21 (e) A person exempt from jury service under this section may  
22 rescind the exemption at any time by filing a signed request for the  
23 rescission with the district clerk [~~voter registrar~~] of the county.

24 SECTION 13. Sections 62.113(a) and (b), Government Code,  
25 are amended to read as follows:

26 (a) The clerk of the court shall maintain a list of the name  
27 and address of each person who is [~~excused or~~] disqualified under

1 this subchapter from jury service because the person is not a  
2 citizen of the United States.

3 (b) On the third business day of each month, the clerk shall  
4 send a copy of the list of persons [~~excused or~~] disqualified because  
5 of citizenship in the previous month to:

6 (1) the voter registrar of the county;

7 (2) the secretary of state; and

8 (3) the county or district attorney for an  
9 investigation of whether the person committed an offense under  
10 Section 13.007, Election Code, or other law.

11 SECTION 14. Sections 62.114(a) and (b), Government Code,  
12 are amended to read as follows:

13 (a) The clerk of the court shall maintain a list containing  
14 the name and address of each person who is [~~excused or~~] disqualified  
15 under this subchapter from jury service because the person is not a  
16 resident of the county.

17 (b) On the third business day of each month, the clerk shall  
18 send a copy of the list of persons [~~excused or~~] disqualified in the  
19 previous month because the persons do not reside in the county to:

20 (1) the voter registrar of the county; and

21 (2) the secretary of state.

22 SECTION 15. Sections 62.115(c) and (d), Government Code,  
23 are amended to read as follows:

24 (c) The district clerk shall [~~may~~] remove from the jury  
25 wheel the jury wheel card for the person whose name appears on the  
26 list.

27 (d) On the third business day of each month, the clerk shall

1 send ~~[to the secretary of state]~~ a copy of the list of persons  
2 disqualified because of a conviction of misdemeanor theft or a  
3 felony to:

- 4           (1) the secretary of state;  
5           (2) the voter registrar of the county; and  
6           (3) the prosecuting attorney for a court to which a  
7 person was summoned for investigation into whether the person  
8 falsely made a claim related to a disqualification under Section  
9 [62.102](#)(7) or (8) ~~[in the preceding month]~~.

10           SECTION 16. The changes in law made by this Act apply only  
11 to a person who is summoned to appear for service on a grand jury or  
12 petit jury on or after the effective date of this Act. A person who  
13 is summoned to appear for service on a grand jury or petit jury  
14 before the effective date of this Act is governed by the law in  
15 effect on the date the person was summoned, and the former law is  
16 continued in effect for that purpose.

17           SECTION 17. This Act takes effect September 1, 2025.