

By: Landgraf

H.B. No. 4749

A BILL TO BE ENTITLED

AN ACT

relating to reconstitution of the petit jury wheel and grand juror
and petit juror qualifications in certain counties.

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

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

(a) Except as provided by Subsection (a-1), 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
to vote in the county in which the grand jury is sitting, regardless
of whether the person is registered to vote;

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

(6) is able to read and write;

(7) has never been convicted of misdemeanor theft or a
felony;

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

(9) is not related within the third degree by
consanguinity or second degree by affinity, as determined under

Chapter 573, Government Code, to any person selected to serve or serving on the same grand jury;

(10) has not served as a grand juror in the year before the date on which the term of court for which the person has been selected as a grand juror begins; and

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

(a-1) A person is not disqualified under Subsections (a)(3) and (4) to serve as a grand juror in a county with a population of less than 1,000 if that person is:

(1) a resident of a county contiguous to and within the same judicial district as the summoning county; and

(2) qualified under the constitution and laws to vote in the contiguous county.

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

(a-1) Notwithstanding Subsection (a), in a county with a population of less than 1,000, grand jurors may 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:

(1) hold a valid Texas driver's license or a valid personal identification card or certificate issued by the Department of Public Safety; and

(2) are not disqualified from grand jury service under Article 19A.101(a)(1), (2), or (7).

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

(a) Except as provided by Subsection (a-1), the ~~[The]~~ jury wheel must be reconstituted by using, as the source:

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

(2) all names on a current list to be furnished by the Department of Public Safety, showing the residents ~~[citizens]~~ of the county who:

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

(B) are not disqualified from jury service under Section 62.102(a)(1) ~~[62.102(1)]~~, (2), or (8).

(a-1) In a county with a population of less than 1,000, the jury wheel may 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) showing the residents of one or more counties contiguous to and within the same judicial district as the summoning county who:

(A) hold a valid Texas driver's license or a valid personal identification card or certificate issued by the

1 Department of Public Safety; and

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

4 (b) Notwithstanding Subsection (a) or (a-1), the names of
5 persons listed on a register of persons exempt from jury service may
6 not be placed in the jury wheel, as provided by Sections 62.108,
7 62.109, 62.113, 62.114, and 62.115.

8 (d) The lists [~~list~~] required by Subsections [~~Subsection~~]
9 (a)(1) and (a-1)(1) must exclude the names of persons on the
10 suspense list maintained under Section 15.081, Election Code.

11 SECTION 4. Section 62.0132(g), Government Code, is amended
12 to read as follows:

13 (g) The information contained in a completed questionnaire
14 may be disclosed to:

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

17 (2) court personnel;

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

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

25 SECTION 5. Section 62.102, Government Code, is amended to
26 read as follows:

27 Sec. 62.102. GENERAL QUALIFICATIONS FOR JURY SERVICE. (a)

1 Except as provided by Subsection (b), a [A] person is disqualified
2 to serve as a petit juror unless the person:

3 (1) is at least 18 years of age;

4 (2) is a citizen of the United States;

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

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

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

10 (6) is able to read and write;

11 (7) has not served as a petit juror for six days during
12 the preceding three months in the county court or during the
13 preceding six months in the district court;

14 (8) has not been convicted of misdemeanor theft or a
15 felony; and

16 (9) is not under indictment or other legal accusation
17 for misdemeanor theft or a felony.

18 (b) A person is not disqualified under Subsections (a)(3)
19 and (4) to serve as a juror in a county with a population of less
20 than 1,000 if that person is:

21 (1) a resident of a county contiguous to and within the
22 same judicial district as the summoning county; and

23 (2) qualified under the constitution and laws to vote
24 in the contiguous county.

25 SECTION 6. The change in law made by this Act applies only
26 to the qualifications of a person summoned for grand jury or petit
27 jury service on or after the effective date of this Act. The

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1 qualifications of a person summoned for grand jury or petit jury
2 service before the effective date of this Act are governed by the
3 law in effect on the date the summons was made, and the former law is
4 continued in effect for that purpose.

5 SECTION 7. This Act takes effect September 1, 2025.