

House Bill 2637
Senate Amendments
Section-by-Section Analysis

| HOUSE VERSION | SENATE VERSION (CS) | CONFERENCE |
|---|---|------------|
| <p>SECTION 1. Article 19A.051(c), Code of Criminal Procedure, is amended to read as follows:</p> <p>(c) The judge shall test the qualifications for and <u>exemptions</u> [excuses] from service as a grand juror and impanel the completed grand jury as provided by this chapter.</p> | <p>SECTION 1. Same as House version.</p> | |
| <p>SECTION 2. The heading to Subchapter C, Chapter 19A, Code of Criminal Procedure, is amended to read as follows: SUBCHAPTER C. GRAND JUROR QUALIFICATIONS; <u>EXEMPTIONS</u> [EXCUSES] FROM SERVICE</p> | <p>SECTION 2. Same as House version.</p> | |
| <p>SECTION 3. Article 19A.101, Code of Criminal Procedure, is amended to read as follows:</p> <p>Art. 19A.101. GRAND JUROR QUALIFICATIONS; <u>LISTS OF DISQUALIFIED PERSONS.</u> (a) A person may be selected or serve as a grand juror only if the person:</p> <ul style="list-style-type: none">(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) <u>has never been convicted of a felony</u>;(9) is not under indictment or other legal accusation for misdemeanor theft or a felony;(10) [(9)] is not related within the third degree by consanguinity or second degree by affinity, as determined | <p>SECTION 3. Article 19A.101, Code of Criminal Procedure, is amended to read as follows:</p> <p>Art. 19A.101. GRAND JUROR QUALIFICATIONS; <u>LISTS OF DISQUALIFIED PERSONS.</u> (a) A person may be selected or serve as a grand juror only if the person:</p> <ul style="list-style-type: none">(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) <u>has never been convicted of a felony</u>;(9) is not under indictment or other legal accusation for misdemeanor theft or a felony;(10) [(9)] is not related within the third degree by consanguinity or second degree by affinity, as determined | |

House Bill 2637
Senate Amendments
Section-by-Section Analysis

HOUSE VERSION

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

~~(11) [(40)]~~ 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

~~(12) [(44)]~~ 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.

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

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

~~(A) [(4)] the secretary of state;~~

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

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

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

~~(A) the secretary of state; and~~

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

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

~~(A) the secretary of state;~~

SENATE VERSION (CS)

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

~~(11) [(40)]~~ 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

~~(12) [(44)]~~ 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.

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

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

~~(A) [(4)] the secretary of state;~~

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

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

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

~~(A) the secretary of state; and~~

~~(B) the voter registrar for the county in which the grand jury is sitting;~~

~~(3) a list of persons who in the preceding month were disqualified from serving as a grand juror based on the person's conviction for a felony and send a copy of the list to:~~

~~(A) the secretary of state;~~

CONFERENCE

House Bill 2637
Senate Amendments
Section-by-Section Analysis

HOUSE VERSION

(B) the voter registrar for the county in which the grand jury is sitting; and
(C) the prosecuting attorney for the court to which the grand jurors were summoned for investigation into whether any person made a false claim concerning the person's qualification under Subsection (a)(7), (8), or (9) [~~7~~, (7), or (8)].

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

Art. 19A.105. EXCUSE AND EXEMPTION [~~EXCUSES~~]
FROM GRAND JURY SERVICE. (a) The court shall excuse from serving any summoned person who does not possess the requisite qualifications or who claims an exemption to which the person is entitled.

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

- (1) a person who is 75 years of age or older [~~than 70 years of age~~];
- (2) a person responsible for the care of a child who is younger than 18 years of age and who will be without adequate supervision if the person serves on the grand jury;
- (3) a student of a public or private secondary school;

SENATE VERSION (CS)

(B) the voter registrar for the county in which the grand jury is sitting; and
(C) the prosecuting attorney for the court to which the grand jurors were summoned for investigation into whether any person made a false claim concerning the person's qualification under Subsection (a)(8); and
(4) a list of persons who in the preceding month were disqualified from serving as a grand juror based on the person's indictment for a felony or indictment or conviction for misdemeanor theft and send a copy of the list to:
(A) the secretary of state; and
(B) the prosecuting attorney for the court to which the grand jurors were summoned for investigation into whether any person made a false claim concerning the person's qualification under Subsection (a)(7) or (9) [~~7~~, (7), or (8)].

SECTION 4. Same as House version.

CONFERENCE

House Bill 2637
Senate Amendments
Section-by-Section Analysis

HOUSE VERSION

- (4) a person enrolled in and in actual attendance at an institution of higher education; and
- (5) any other person the court determines has a reasonable excuse from service.

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

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

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

(c) The district clerk shall maintain a current register of the name of each person who resides in the county and who has claimed and is entitled to a permanent exemption from grand jury service because the person is 75 years of age or older.

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

SENATE VERSION (CS)

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

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

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

(c) The district clerk shall maintain a current register of the name of each person who resides in the county and who has claimed and is entitled to a permanent exemption from grand jury service because the person is 75 years of age or older.

(d) On the third business day of each month, the district clerk shall prepare a list of persons who in the preceding month were permanently exempted from serving as a grand juror under this article or rescinded a permanent exemption under Subsection (f) and send a copy of the list to the secretary of state for each county served by the clerk.

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

CONFERENCE

House Bill 2637
Senate Amendments
Section-by-Section Analysis

HOUSE VERSION

(e) A person who has claimed a permanent exemption from jury service under this article may rescind the exemption at any time by filing a signed request for the rescission with the district clerk. Rescission of a permanent exemption does not affect the right of a person who is 75 years of age or older to claim a permanent exemption at a later time.
Art. 19A.107. LIST OF DISQUALIFIED CONVICTED PERSONS. (a) The district clerk shall maintain a list of the name and address of each person who is disqualified under this subchapter from grand jury service because the person was convicted of misdemeanor theft or a felony.
(b) A person who was convicted of misdemeanor theft or a felony is permanently disqualified from serving as a juror.
(c) A person whose name appears on the list maintained under this article may not be selected or summoned for grand jury service by any judge of a district court served by the clerk.
(d) On the third business day of each month, the district clerk shall send a copy of the list maintained under this article to:
(1) the secretary of state;
(2) the voter registrar for the county in which the grand jury is sitting; and
(3) the prosecuting attorney for the court to which the grand jurors were summoned for investigation into whether any person made a false claim concerning the person's qualification under Article 19A.101(a)(7) or (8).

SENATE VERSION (CS)

(f) A person who has claimed a permanent exemption from jury service under this article may rescind the exemption at any time by filing a signed request for the rescission with the district clerk. Rescission of a permanent exemption does not affect the right of a person who is 75 years of age or older to claim a permanent exemption at a later time.
Art. 19A.107. LIST OF DISQUALIFIED CONVICTED PERSONS. (a) The district clerk shall maintain a list of the name and address of each person who is disqualified under this subchapter from grand jury service because the person was convicted of misdemeanor theft or a felony.
(b) A person who was convicted of misdemeanor theft or a felony is permanently disqualified from serving as a juror.
(c) A person whose name appears on the list maintained under this article may not be selected or summoned for grand jury service by any judge of a district court served by the clerk.
(d) On the third business day of each month, the district clerk shall send a copy of the list maintained under this article to:
(1) the secretary of state; and

(2) the prosecuting attorney for the court to which the grand jurors were summoned for investigation into whether any person made a false claim concerning the person's qualification under Article 19A.101(a)(7) or (8).
(e) On the third business day of each month, the district clerk shall prepare a list of the name and address of each person on the list maintained under this article disqualified from grand jury service because the person was convicted of a felony and send a copy of the list to the voter registrar for the county in which the grand jury is sitting.

CONFERENCE

House Bill 2637
Senate Amendments
Section-by-Section Analysis

| HOUSE VERSION | SENATE VERSION (CS) | CONFERENCE |
|---|---|------------|
| <p>SECTION 6. Sections 62.001(a) and (b), Government Code, are amended to read as follows:</p> <p>(a) The jury wheel must be reconstituted by using, as the source:</p> <p>(1) the names of all persons on the current voter registration lists from all the precincts in the county; and</p> <p>(2) all names on a current list to be furnished by the Department of Public Safety, showing the citizens of the county who:</p> <p>(A) hold a valid Texas driver's license or a valid personal identification card or certificate issued by the department; and</p> <p>(B) are not disqualified from jury service under Section 62.102(1), (2), (3), (7), or (8).</p> <p>(b) Notwithstanding Subsection (a), the names of persons listed on a register of persons exempt from jury service may not be placed in the jury wheel, as provided by Sections 62.108 <u>and</u>[,] 62.109 [62.113, 62.114, and 62.115].</p> <p>SECTION 7. Section 62.0132(g), Government Code, is amended to read as follows:</p> <p>(g) The information contained in a completed questionnaire may be disclosed to:</p> <p>(1) a judge assigned to hear a cause of action in which the respondent to the questionnaire is a potential juror;</p> <p>(2) court personnel;</p> <p>(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</p> <p>(4) other than information provided that is related to Section <u>62.102(2), (3), (7), (8), or (9)</u> [62.102(8) or (9)], the voter</p> | <p>SECTION 6. Same as House version.</p> <p>SECTION 7. Same as House version.</p> | |

House Bill 2637
Senate Amendments
Section-by-Section Analysis

| HOUSE VERSION | SENATE VERSION (CS) | CONFERENCE |
|--|--|------------|
| registrar of a county in connection with any matter of voter registration or the administration of elections. | | |
| <p>SECTION 8. Section 62.102, Government Code, is amended to read as follows:</p> <p>Sec. 62.102. GENERAL QUALIFICATIONS FOR JURY SERVICE. A person is disqualified to serve as a petit juror unless the person:</p> <p>(1) is at least 18 years of age;</p> <p>(2) is a citizen of the United States;</p> <p>(3) is a resident of this state and of the county in which the person is to serve as a juror;</p> <p>(4) is qualified under the constitution and laws to vote in the county in which the person is to serve as a juror;</p> <p>(5) is of sound mind and good moral character;</p> <p>(6) is able to read and write;</p> <p>(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;</p> <p>[(8)] has not been convicted of misdemeanor theft [or a felony];</p> <p><u>(8) has not been convicted of a felony; [and]</u></p> <p>(9) is not under indictment or other legal accusation for misdemeanor theft or a felony; <u>and</u></p> <p><u>(10) 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.</u></p> | <p>SECTION 8. Same as House version.</p> | |
| <p>SECTION 9. Section 62.106(a), Government Code, is amended to read as follows:</p> <p>(a) A person qualified to serve as a petit juror may establish an exemption from jury service if the person:</p> | <p>SECTION 9. Same as House version.</p> | |

House Bill 2637
Senate Amendments
Section-by-Section Analysis

HOUSE VERSION

- (1) is ~~[over]~~ 75 years of age or older;
- (2) has legal custody of a child younger than 12 years of age and the person's service on the jury requires leaving the child without adequate supervision;
- (3) is a student of a public or private secondary school;
- (4) is a person enrolled and in actual attendance at an institution of higher education;
- (5) is an officer or an employee of the senate, the house of representatives, or any department, commission, board, office, or other agency in the legislative branch of state government;
- (6) is summoned for service in a county with a population of at least 200,000, unless that county uses a jury plan under Section 62.011 and the period authorized under Section 62.011(b)(5) exceeds two years, and the person has served as a petit juror in the county during the 24-month period preceding the date the person is to appear for jury service;
- (7) is the primary caretaker of a person who is unable to care for himself or herself;
- (8) except as provided by Subsection (b), is summoned for service in a county with a population of at least 250,000 and the person has served as a petit juror in the county during the three-year period preceding the date the person is to appear for jury service; or
- (9) is a member of the United States military forces serving on active duty and deployed to a location away from the person's home station and out of the person's county of residence.

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

SENATE VERSION (CS)

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

CONFERENCE

House Bill 2637
Senate Amendments
Section-by-Section Analysis

HOUSE VERSION

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

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

(a) A person who is entitled to exemption from jury service because the person is ~~[over]~~ 75 years of age or older may establish a permanent exemption on that ground as provided by this section or Section 62.107.

(b) A person may claim a permanent exemption:

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

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

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

SENATE VERSION (CS)

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

SECTION 11. Section 62.108, Government Code, is amended by amending Subsections (a), (b), (c), and (e) and adding Subsection (c-1) to read as follows:

(a) A person who is entitled to exemption from jury service because the person is ~~[over]~~ 75 years of age or older may establish a permanent exemption on that ground as provided by this section or Section 62.107.

(b) A person may claim a permanent exemption:

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

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

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

(c-1) On the third business day of each month, the district clerk shall prepare a list of persons who in the preceding

CONFERENCE

House Bill 2637
Senate Amendments
Section-by-Section Analysis

HOUSE VERSION

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

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

(a) The judge of a district court or the district clerk [~~by order~~] may permanently or for a specified period exempt from service as a juror in all the county and district courts in the county a person with a physical or mental impairment or with an inability to comprehend or communicate in the English language that makes it impossible or very difficult for the person to serve on a jury.

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

SENATE VERSION (CS)

month claimed and were entitled to a permanent exemption under this section or who rescinded an exemption under Subsection (e) and send a copy of the list to the secretary of state.

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

SECTION 12. Same as House version.

CONFERENCE

House Bill 2637
Senate Amendments
Section-by-Section Analysis

HOUSE VERSION

SENATE VERSION (CS)

CONFERENCE

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

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

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

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

(a) The clerk of the court shall maintain a list of the name and address of each person who is ~~[excused or]~~ disqualified under this subchapter from jury service because the person is not a citizen of the United States.

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

- (1) the voter registrar of the county;
- (2) the secretary of state; and
- (3) the county or district attorney for an investigation of whether the person committed an offense under Section 13.007, Election Code, or other law.

SECTION 13. Same as House version.

House Bill 2637
Senate Amendments
Section-by-Section Analysis

HOUSE VERSION

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

- (a) The clerk of the court shall maintain a list containing the name and address of each person who is ~~[excused or]~~ disqualified under this subchapter from jury service because the person is not a resident of the county.
- (b) On the third business day of each month, the clerk shall send a copy of the list of persons ~~[excused or]~~ disqualified in the previous month because the persons do not reside in the county to:
- (1) the voter registrar of the county; and
 - (2) the secretary of state.

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

- (c) The district clerk shall ~~[may]~~ remove from the jury wheel the jury wheel card for the person whose name appears on the list.
- (d) On the third business day of each month, the clerk shall send ~~[to the secretary of state]~~ a copy of the list of persons disqualified because of a conviction of misdemeanor theft or a felony to:
- (1) the secretary of state;
 - (2) the voter registrar of the county; and
 - (3) the prosecuting attorney for a court to which a person was summoned for investigation into whether the person falsely made a claim related to a disqualification under Section 62.102(7) or (8) [in the preceding month].

SENATE VERSION (CS)

SECTION 14. Same as House version.

SECTION 15. Section 62.115, Government Code, is amended by amending Subsections (c) and (d) and adding Subsection (d-1) to read as follows:

- (c) The district clerk shall ~~[may]~~ remove from the jury wheel the jury wheel card for the person whose name appears on the list.
- (d) On the third business day of each month, the clerk shall send ~~[to the secretary of state]~~ a copy of the list of persons disqualified because of a conviction of misdemeanor theft or a felony to:
- (1) the secretary of state; and
 - (2) the prosecuting attorney for a court to which a person was summoned for investigation into whether the person falsely made a claim related to a disqualification under Section 62.102(7) or (8) [in the preceding month].
- (d-1) On the third business day of each month, the clerk of the court shall prepare a list of the name and address of each person on the list maintained under this section disqualified

CONFERENCE

House Bill 2637
Senate Amendments
Section-by-Section Analysis

HOUSE VERSION

SENATE VERSION (CS)

CONFERENCE

from jury service because the person was convicted of a felony and send a copy of the list to the voter registrar for the county.

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

SECTION 16. Same as House version.

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

SECTION 17. Same as House version.