

CHAPTER 36

S.B. No. 1088

AN ACT

relating to the drawing of names of prospective jurors.

Be it enacted by the Legislature of the State of Texas:

SECTION 1. Subsections (a), (b), (c), and (d), Section 62.004, Government Code, are amended to read as follows:

(a) The county clerk and the sheriff of the county shall draw the names of the prospective jurors for a county court from the jury wheel in the presence and under the direction of the county judge. The district clerk and the sheriff *or any constable* of the county shall draw the names of the prospective jurors for a justice or a district court from the jury wheel in the presence and under the direction of the district judge.

(b) The county or district clerk and the sheriff *or constable* shall draw the names of prospective jurors from the jury wheel after the wheel has been turned to thoroughly mix the jury wheel cards and shall draw the names one by one if so directed by the judge in whose presence the names are drawn. The names of prospective jurors shall be drawn at least 10 days before the first day of the term of court.

(c) The county or district clerk and the sheriff *or constable* shall draw as many jury lists as are required for the term of court. They shall record the names that are drawn on as many lists as the judge in whose presence the names are drawn considers necessary to ensure an adequate number of jurors for the term.

(d) A deputy may represent the county or district clerk or the sheriff *or constable* at the drawing. Other persons may be present only as provided by this subchapter.

SECTION 2. Subsection (b), Section 62.015, Government Code, is amended to read as follows:

(b) If the court at any time does not have a sufficient number of prospective jurors present whose names are on the jury lists and who are not excused by the judge from jury service, the judge shall order the sheriff *or constable* to summon additional prospective jurors to provide the requisite number of jurors for the panel. The names of additional jurors to be summoned by the sheriff *or constable* to fill a jury panel shall be drawn from the jury wheel under orders of the judge. Additional jurors summoned to fill a jury panel shall be discharged when their services are no longer required.

SECTION 3. The importance of this legislation and the crowded condition of the calendars in both houses create an emergency and an imperative public necessity that the constitutional rule requiring bills to be read on three several days in each house be suspended, and this rule is hereby suspended, and that this Act take effect and be in force from and after its passage, and it is so enacted.

Passed the Senate on April 3, 1997: Yeas 31, Nays 0; passed the House on April 18, 1997, by a non-record vote.

Approved May 5, 1997.

Effective 90 days after date of adjournment.

CHAPTER 37

S.B. No. 1173

AN ACT

relating to holding at the same time more than one office of municipal judge filled by appointment.

Be it enacted by the Legislature of the State of Texas:

SECTION 1. Section 574.001, Government Code, is amended to read as follows: