

BILL ANALYSIS

Senate Research Center
76R7040 JMC-F

H.B. 82
By: Solomons (Ellis)
Jurisprudence
5/6/1999
Engrossed

DIGEST

Some citizens of a county are called upon several times within a year to serve on a jury. Others are not called upon for several years. H.B. 82 would remove a person who appears for jury service, in a county with a population of 250,000 or more, from the jury wheel for three years unless the jury wheel has been reconstituted after the person served as a petit juror.

PURPOSE

As proposed, H.B. 82 removes a person who appears for jury service, in a county with a population of 250,000 or more, from the jury wheel for three years, unless the jury wheel has been reconstituted after the person served as a petit juror.

RULEMAKING AUTHORITY

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

SECTION BY SECTION ANALYSIS

SECTION 1. Amends Section 62.001, Government Code, by amending Subsection (i), and adding Subsection (j), as follows:

(i) Deletes text regarding a county with a population of less than 105,000 in which the municipality with the largest population is located in more than one county. Makes a conforming change.

(j) Requires the names of persons who are summoned for jury service in the county and who appear for service to be removed from the jury wheel and may not be maintained in the jury wheel until the third anniversary of the date the person appeared for service or until the next date the jury wheel is reconstituted, whichever date occurs earlier, in a county with a population of 250,000 or more, notwithstanding Subsection (a). Provides that this subsection applies regardless of whether the person served on a jury as a result of the summons.

SECTION 2. Amends Section 62.106, Government Code, to authorize a person qualified to serve as a petit juror to establish an exemption from jury service if the person 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, except as provided by Subsection (b). Provides that Subsection (a)(8) does not apply if the jury wheel in the county has been reconstituted after the date the person served as a petit juror. Deletes text regarding children. Makes conforming and nonsubstantive changes.

SECTION 3. Effective date: September 1, 1999.

SECTION 4. Makes application of this Act prospective.

SECTION 5. Emergency clause.