

## **BILL ANALYSIS**

Senate Research Center  
76R14894 JMC-F

C.S.H.B. 82  
By: Solomons (Ellis)  
Jurisprudence  
5/10/1999  
Committee Report (Substituted)

### **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. C.S.H.B. 82 would authorize the Texas Department of Public Safety to remove certain names from a list used to reconstitute the jury wheel and to require certain information from applicants.

### **PURPOSE**

As proposed, C.S.H.B. 82 authorizes the Texas Department of Public Safety to remove certain names from a list used to reconstitute the jury wheel.

### **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 Subsections (f) and (i), and adding Subsection (j), as follows:

(f) Requires the list to exclude the names of convicted felons, persons who are not citizens of the United States, persons residing outside the county, and the duplicate name of any registrant. Requires the Texas Department of Public Safety (DPS) to furnish the list to the secretary of state on or before the first Monday in October of each year and to furnish an updated list at least as often as quarterly to a district clerk who requests that information from DPS. Makes a conforming change.

(i) Requires each list to contain the name, date of birth, address, county of residence, and citizenship status of each person listed. Deletes text regarding the age and citizenship of each person. Makes a nonsubstantive 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. Amends Section 521.142(c), Transportation Code, to require the applicant to state whether the applicant is a citizen of the United States, and the county of residence of the applicant. Makes a conforming and nonsubstantive change.

**SECTION 4.** Amends Section 521.1425, Transportation Code, to authorize DPS to require each applicant for an original, renewal, or duplicate driver's license to furnish to DPS the information required by Section 521.142, except as provided by Subsection (b). Requires DPS to require each applicant for an original, renewal, or duplicate driver's license to furnish to DPS the information required by Sections 521.142(c)(7) and (8).

**SECTION 5.** Effective date: September 1, 1999.

**SECTION 6.** Makes application of this Act prospective.

**SECTION 7.** Emergency clause.

### **SUMMARY OF COMMITTEE CHANGES**

Relating clause.

Amends the relating clause to relating to the method by which a county reconstitutes the jury wheel, to the duty of Department of Public Safety to remove certain names from a list used to reconstitute the jury wheel, and to the selection and service of jurors in certain counties.

**SECTION 1.**

Adds Section 62.001(f), Government Code, to require the list to exclude the names of convicted felons, persons who are not citizens of the United States, persons residing outside the county, and the duplicate name of any registrant. Requires the DPS to furnish the list to the secretary of state on or before the first Monday in October of each year and to furnish an updated list at least as often as quarterly to a district clerk who requests that information from DPS. Makes a conforming change.

Amends Section 62.001(i), Government Code, to require each list to contain the name, date of birth, address, county of residence, and citizenship status of each person listed. Deletes text regarding the age and citizenship of each person. Makes a nonsubstantive change.

**SECTION 3.**

Add Section 521.142(c), Transportation Code, to require the applicant to state whether the applicant is a citizen of the United States, and the county of residence of the applicant. Redesignates the effective date of September 1, 1999 to SECTION 5.

**SECTION 4.**

Adds Section 521.1425, Transportation Code, to authorize DPS to require each applicant for an original, renewal, or duplicate driver's license to furnish to DPS the information required by Section 521.142, except as provided by Subsection (b). Requires DPS to require each applicant for an original, renewal, or duplicate driver's license to furnish to DPS the information required by Sections 521.142(c)(7) and (8). Redesignates the prospective clause to SECTION 6.

**SECTION 5.**

Adds the effective date of September 1, 1999.

**SECTION 6.**

Adds the prospective clause.

**SECTION 7.**

Adds the emergency clause.