

BILL ANALYSIS

Senate Research Center

S.B. 1264
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State Affairs
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Enrolled

AUTHOR'S / SPONSOR'S STATEMENT OF INTENT

Current statute allows for members of petit (trial) juries to receive counseling services if a county commissioners court has created a program to provide those services. However, statute is silent as to whether or not a county may create a similar program for grand jury members. Grand jurors who experience secondary trauma as a result of testimony and evidence presented could be in need of similar care. S.B. 1264 extends the ability of a county to create a counseling program for grand jurors, as well as petit jurors.

Additionally, current statute allows jurors to donate their pay to a county-created counseling program for petit jurors, as one of many options. S.B. 1264 extends this opportunity for jurors to donate to a county-created grand juror counseling program.

S.B. 1264 amends current law relating to psychological counseling for certain grand jurors.

RULEMAKING AUTHORITY

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

SECTION BY SECTION ANALYSIS

SECTION 1. Amends Article 56.04(f), Code of Criminal Procedure, as follows:

(f) Authorizes the commissioners court to approve a program in which the crime victim liaison or victim assistance coordinator is authorized to offer not more than 10 hours of post-investigation or posttrial psychological counseling for a person who serves as a grand juror, alternate grand juror, juror, or alternate juror in a grand jury investigation or criminal trial involving graphic evidence or testimony and who requests the post-investigation or posttrial psychological counseling not later than the 180th day after the date on which the grand jury or jury is dismissed, rather than offer not more than 10 hours of posttrial psychological counseling for a person who serves as a juror or an alternate juror in a criminal trial involving graphic evidence or testimony and who requests the posttrial psychological counseling not later than the 180th day after the date on which the jury in the trial is dismissed. Makes a nonsubstantive change.

SECTION 2. Amends Section 61.003(a), Government Code, to require that each person who reports for jury service be personally provided a form letter that, when signed by the person, directs the county treasurer to donate a certain amount of the person's daily reimbursement under this chapter (General Provisions) to any other program approved by the commissioners court of the county, including a program established under Article 56.04(f), Code of Criminal Procedure, that offers psychological counseling in criminal cases involving graphic evidence or testimony, rather than that offers psychological counseling to jurors in criminal cases involving graphic evidence or testimony.

SECTION 3. Effective date: September 1, 2017.