

Amend CSHB 2150 (senate committee report) as follows:

(1) In SECTION 7 of the bill, in amended Article 19.26(a), Code of Criminal Procedure (page 2, line 68), strike "fourteen" and substitute "sixteen [~~fourteen~~]".

(2) In SECTION 7 of the bill, in amended Article 19.26(a), Code of Criminal Procedure (page 3, line 1), strike "two" and substitute "four".

(3) In SECTION 7 of the bill, in amended Article 19.26(b), Code of Criminal Procedure (page 3, line 12), strike "[~~not more than~~] two" and substitute "four [~~not more than two~~]".

(4) In SECTION 7 of the bill, in amended Article 19.26(b), Code of Criminal Procedure (page 3, line 22), between "second" and "grand", insert "or subsequent".

(5) In SECTION 20 of the bill, in the transition language (page 5, line 28), between "20." and "Section 402.024(b)", insert the following:

(a) Except as provided by Subsection (b) of this section, the changes in law made by this Act apply to a grand jury impaneled on or after the effective date of this Act. A grand jury impaneled before the effective date of this Act is governed by the law in effect on the date the grand jury was impaneled, and the former law is continued in effect for that purpose.

(b)

(6) Add the following appropriately numbered SECTIONS to the bill and renumber subsequent SECTIONS of the bill accordingly:

SECTION _____. Article 19.18, Code of Criminal Procedure, is amended to read as follows:

Art. 19.18. IF LESS THAN SIXTEEN [~~FOURTEEN~~] ATTEND. When less than sixteen [~~fourteen~~] of those summoned to serve as grand jurors are found to be in attendance and qualified to so serve, the court shall order the sheriff to summon such additional number of persons as may be deemed necessary to constitute a grand jury of twelve persons and four [~~two~~] alternates.

SECTION _____. Chapter 19, Code of Criminal Procedure, is amended by adding Article 19.315 to read as follows:

Art. 19.315. RECUSAL OF JUROR. (a) If, during the course of a juror's service on the grand jury, the juror determines that the

juror could be subject to a valid challenge for cause under Article 19.31, the juror shall recuse himself or herself from grand jury service until the cause no longer exists. A person who knowingly fails to recuse himself or herself under this subsection may be held in contempt of court. A person authorized to be present in the grand jury room shall report a known violation of this subsection to the court.

(b) The court shall instruct the grand jury as to the duty imposed by Subsection (a).