

## **BILL ANALYSIS**

H.B. 2150  
By: Alvarado  
Criminal Jurisprudence  
Committee Report (Unamended)

### **BACKGROUND AND PURPOSE**

The purpose of the grand jury system is to determine the validity of the cause used in the arrest of a person. The grand jury system has recently come under scrutiny because concern has been raised about how effective the system is in removing bias from a grand jury pool. H.B. 2150 seeks to address these concerns.

### **CRIMINAL JUSTICE IMPACT**

It is the committee's opinion that this bill does not expressly create a criminal offense, increase the punishment for an existing criminal offense or category of offenses, or change the eligibility of a person for community supervision, parole, or mandatory supervision.

### **RULEMAKING AUTHORITY**

It is the committee's opinion that this bill does not expressly grant any additional rulemaking authority to a state officer, department, agency, or institution.

### **ANALYSIS**

H.B. 2150 amends the Code of Criminal Procedure to expand the causes for which an oral challenge to a particular grand juror may be made and sets out those additional causes. The bill requires a juror, if the juror determines that the juror could be subject to a valid challenge for cause during the course of the juror's service on the grand jury, to recuse himself or herself from grand jury service until the cause no longer exists. The bill establishes that a person who knowingly fails to recuse himself or herself may be held in contempt of court. The bill requires a person authorized to be present in the grand jury room to report a known violation of this requirement to the court. The bill requires the court to instruct the grand jury as to this duty.

H.B. 2150 increases from two to four the maximum number of alternate jurors that the court is required to qualify and impanel to serve on a grand jury on the disqualification or unavailability of a juror during the term of the grand jury. The bill establishes as an additional cause of unavailability that a juror is unable to participate fully in the duties of the grand jury because the juror is unwilling to serve on the grand jury or is otherwise neglecting the juror's duty to serve.

### **EFFECTIVE DATE**

September 1, 2015.