

1-1 By: Zaffirini S.B. No. 681
 1-2 (In the Senate - Filed February 20, 2015; February 24, 2015,
 1-3 read first time and referred to Committee on State Affairs;
 1-4 April 28, 2015, reported adversely, with favorable Committee
 1-5 Substitute by the following vote: Yeas 8, Nays 0; April 28, 2015,
 1-6 sent to printer.)

1-7 COMMITTEE VOTE

	Yea	Nay	Absent	PNV
1-8				
1-9	X			
1-10	X			
1-11	X			
1-12	X			
1-13	X			
1-14			X	
1-15	X			
1-16	X			
1-17	X			

1-18 COMMITTEE SUBSTITUTE FOR S.B. No. 681 By: Zaffirini

1-19 A BILL TO BE ENTITLED
 1-20 AN ACT

1-21 relating to a bailiff administering the selection of names of
 1-22 persons for jury service in certain counties.

1-23 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

1-24 SECTION 1. Section 62.001(g), Government Code, is amended
 1-25 to read as follows:

1-26 (g) The secretary of state shall accept the lists furnished
 1-27 as provided by Subsections (c) through (f). The secretary of state
 1-28 shall combine the lists, eliminate duplicate names, and send the
 1-29 combined list to each county on or before December 31 of each year
 1-30 or as may be required under a plan developed in accordance with
 1-31 Section 62.011. The district clerk or bailiff designated as the
 1-32 officer in charge of the jury selection process for ~~of~~ a county
 1-33 that has adopted a plan under Section 62.011 shall give the
 1-34 secretary of state notice not later than the 90th day before the
 1-35 date the list is required. The list furnished the county must be in
 1-36 a format, electronic or printed copy, as requested by the county and
 1-37 must be certified by the secretary of state stating that the list
 1-38 contains the names required by Subsections (c) through (f),
 1-39 eliminating duplications. The secretary of state shall furnish the
 1-40 list free of charge.

1-41 SECTION 2. Section 62.011(b), Government Code, is amended
 1-42 to read as follows:

1-43 (b) A plan authorized by this section for the selection of
 1-44 names of prospective jurors must:

1-45 (1) be proposed in writing to the commissioners court
 1-46 by a majority of the district and criminal district judges of the
 1-47 county at a meeting of the judges called for that purpose;

1-48 (2) specify that the source of names of persons for
 1-49 jury service is the same as that provided by Section 62.001 and that
 1-50 the names of persons listed in a register of persons exempt from
 1-51 jury service may not be used in preparing the record of names from
 1-52 which a jury list is selected, as provided by Sections 62.108 and
 1-53 62.109;

1-54 (3) provide a fair, impartial, and objective method of
 1-55 selecting names of persons for jury service with the aid of
 1-56 electronic or mechanical equipment;

1-57 (4) designate the district clerk, or in a county with a
 1-58 population of at least 1.7 million and in which more than 75 percent
 1-59 of the population resides in a single municipality, a bailiff
 1-60 appointed as provided under Section 62.019, as the officer in

2-1 charge of the selection process and define the officer's [~~his~~
2-2 duties; and

2-3 (5) provide that the method of selection either will
2-4 use the same record of names for the selection of persons for jury
2-5 service until that record is exhausted or will use the same record
2-6 of names for a period of time specified by the plan.

2-7 SECTION 3. Section 62.0145, Government Code, is amended to
2-8 read as follows:

2-9 Sec. 62.0145. REMOVAL OF CERTAIN PERSONS FROM POOL OF
2-10 PROSPECTIVE JURORS. Except as provided by Section 62.0146, if a
2-11 written summons for jury service sent by a sheriff, constable, or
2-12 bailiff is undeliverable, the county or district clerk may remove
2-13 from the jury wheel the jury wheel card for the person summoned or
2-14 the district clerk, or in a county with a population of at least 1.7
2-15 million and in which more than 75 percent of the population resides
2-16 in a single municipality, a bailiff appointed as provided under
2-17 Section 62.019, may remove the person's name from the record of
2-18 names for selection of persons for jury service under Section
2-19 62.011.

2-20 SECTION 4. This Act takes effect immediately if it receives
2-21 a vote of two-thirds of all the members elected to each house, as
2-22 provided by Section 39, Article III, Texas Constitution. If this
2-23 Act does not receive the vote necessary for immediate effect, this
2-24 Act takes effect September 1, 2015.

2-25 * * * * *