

- SUBJECT:** Providing telephone numbers for jury wheel contact information
- COMMITTEE:** Judiciary and Civil Jurisprudence — committee substitute recommended
- VOTE:** 6 ayes — Smithee, Farrar, Gutierrez, Hernandez, Murr, Neave
3 nays — Laubenberg, Rinaldi, Schofield
- WITNESSES:** For — (*Registered, but did not testify:* Jennifer Lindenzweig, Hunt County Clerk; Celeste Bichsel and Caroline Woodburn, Texas County and District Clerk's Association; Heather Hawthorne; Patti Henry; Laura Hinojosa; Angelia Orr)

Against — None

On — Ashley Fischer, Texas Secretary of State: (*Registered, but did not testify:* Keith Ingram, Texas Secretary of State, Elections Division)
- BACKGROUND:** Election Code, sec. 13.004(a) prohibits a registrar from transcribing, copying, or otherwise recording a telephone number furnished on a voter registration application.
- DIGEST:** CSHB 1102 would allow a registrar to record a telephone number furnished on a voter registration application only for purposes of reconstituting a jury wheel.

The voter registrar would be required to include the phone number for each individual in the annual current voter registration list given to the secretary of state for the purpose of reconstituting the jury wheel. An entity contracted by the commissioners court for this purpose also would have to provide each individual's phone number, if available.

The bill would require the officials who reconstituted the jury wheel to add the telephone number of each prospective juror to the separate jury wheel card containing the name and post office address of prospective jurors.

The bill would make a telephone number on a voter registration application confidential and not subject to disclosure under the Texas Public Information Act. A voter's telephone number in the secretary of state's computerized voter registration list could not be included in information released from the list to a requestor.

This bill would take immediate effect if finally passed by a two-thirds record vote of the membership of each house. Otherwise, it would take effect September 1, 2017.

**SUPPORTERS
SAY:**

CSHB 1102 would require a telephone number to be added to the contact information of a prospective juror, if the juror voluntarily furnished it, to help address Texas' low response rates to jury summons. During the interim, the House Committee on Judiciary and Civil Jurisprudence identified lack of reliable contact information on the jury pool list as a significant contributor to low participation and recommended requiring inclusion of phone numbers for the jury wheel as a way to increase jury participation rates.

The bill would establish mechanisms for the inclusion of phone numbers, if provided, in the jury pool information. This would allow another avenue for contacting potential jurors. The bill would protect privacy by ensuring that telephone numbers were kept confidential and not subject to public disclosure.

**OPPONENTS
SAY:**

CSHB 1102 could cost the secretary of state money to change the computerized voter registration list to incorporate voters' phone numbers. There currently is no place to include them in the database because the Election Code states phone numbers may not be recorded.