

## **BILL ANALYSIS**

Senate Research Center  
78R8588 KLA-D

C.S.S.B. 518  
By: Duncan  
Jurisprudence  
3/14/2003  
Committee Report (Substituted)

### **DIGEST AND PURPOSE**

Currently, petit juror and grand juror qualifications are not in line with other state statutes. Statutes governing all other jurors, whether grand jurors or petit jurors in criminal cases, already disqualify a person who has been convicted of misdemeanor theft. C.S.S.B. 518 changes the qualifications for all grand jurors and petit jurors in civil and criminal cases to exclude persons who have been convicted of a misdemeanor theft or any other felony in all applicable sections, and makes the language of the statutory provisions governing petit and grand jurors gender neutral.

### **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 19.08, Code of Criminal Procedure, as follows:

Art. 19.08. QUALIFICATIONS. Requires no person, rather than any references to he or him, to be selected or serve as a grand juror who does not possess certain qualifications, including but not limited to, having not been convicted of misdemeanor theft or a felony.

SECTION 2. Amends Article 35.16(a), Code of Criminal Procedure, to provide that a challenge for cause is an objection made to a particular juror, alleging some fact which renders the juror, rather than him, incapable or unfit to serve on the jury. Makes conforming changes.

SECTION 3. Amends Section 62.102, Government Code, as follows:

Sec. 62.102. GENERAL QUALIFICATIONS FOR JURY SERVICE. Adds conviction of misdemeanor theft or a felony to the list of reasons for which a person, rather than he, is disqualified from serving as a petit juror. Makes conforming changes.

SECTION 4. Makes application of this Act prospective.

SECTION 5. Effective date: September 1, 2003.

### **SUMMARY OF COMMITTEE CHANGES**

Differs from original in relating clause from “relating to the qualifications for service as a petit juror” to “relating to the qualifications for service as a grand or petit juror and challenges for cause.”

SECTION 1. Differs from original by amending Article 19.08, Code of Criminal Procedure, rather than Section 62.102, Government Code.

SECTION 2. Differs from original by amending Article 35.16(a), Code of Criminal Procedure, rather

than Section 62.102, Government Code.

SECTION 3. Differs from original by redesignating Section 62.102, Government Code to this section, rather than SECTION 1, and adds conviction of misdemeanor theft or a felony to the list of reasons for which a person, rather than he, is disqualified from serving as a petit juror. Makes conforming changes.

SECTION 4. Makes application of this Act prospective.

SECTION 5. Redesignated from SECTION 3 in the original.