

BILL ANALYSIS

Senate Research Center
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S.B. 1298
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Criminal Justice
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As Filed

AUTHOR'S / SPONSOR'S STATEMENT OF INTENT

Under current law, a district judge directs that 20 to 125 prospective grand jurors be selected and summoned for cases in the district court. In some smaller counties, judges have expressed interest in having a larger pool of potential grand jurors from which to select.

S.B. 1298 amends the Code of Criminal Procedure to increase the cap on the number of prospective jurors that a district judge can select and summon from 125 to 250.

S.B. 1298 states that if a district judge directs that prospective jurors be selected and summoned on or after the effective date of the bill, then the judge shall comply with the new range. If prospective jurors are directed to be selected and summoned before the effective date, then the current range applies.

As proposed, S.B. 1298 amends current law relating to the selection and summons of prospective grand jurors.

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 19.01, Code of Criminal Procedure, to require the district judge to direct that 20 to 250, rather than 20 to 125, prospective grand jurors be selected and summoned, with return on summons, in the same manner as for the selection and summons of panels for the trial of civil cases in the district courts.

SECTION 2. Requires a district judge who on or after the effective date of this Act directs that prospective grand jurors be selected and summoned to comply with the requirements of Article 19.01 (Selection and Summons of Prospective Grand Jurors), Code of Criminal Procedure, as amended by this Act. Requires a district judge who before the effective date of this Act directs that prospective grand jurors be selected and summoned to comply with Article 19.01, Code of Criminal Procedure, as it existed immediately before the effective date of this Act.

SECTION 3. Effective date: September 1, 2017.