

By: Bonnen

H.B. No. 501

A BILL TO BE ENTITLED

1 AN ACT

2 relating to a person's ability to read and write in English as a
3 qualification for service as a petit juror.

4 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

5 SECTION 1. Section 62.102, Government Code, is amended to
6 read as follows:

7 Sec. 62.102. GENERAL QUALIFICATIONS FOR JURY SERVICE. A
8 person is disqualified to serve as a petit juror unless the person:

9 (1) is at least 18 years of age;

10 (2) is a citizen of this state and of the county in
11 which the person is to serve as a juror:

12 (3) is qualified under the constitution and laws to
13 vote in the county in which the person is to serve as a juror:

(4) is of sound mind and good moral character;

15 (5) is able to read and write English;

16 (6) has not served as a petit juror for six days during

17 the preceding three months in the county court or during the

18 preceding six months in the district court;

21 (8) is not under indictment or other legal accusation
22 for misdemeanor theft or a felony.

23 SECTION 2. Section 62.103(a), Government Code, is amended
24 to read as follows:

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5 SECTION 3. The heading to Section 62.109, Government Code,
6 is amended to read as follows:

7 Sec. 62.109. EXEMPTION FOR PHYSICAL OR MENTAL IMPAIRMENT
8 [OR INABILITY TO COMPREHEND ENGLISH].

9 SECTION 4. Sections 62.109(a), (b), and (f), Government
10 Code, are amended to read as follows:

17 (b) At the time the person is summoned for jury service or at
18 any other time, a [A] person requesting an exemption under this
19 section must:

20 (1) submit to the court an affidavit stating the
21 person's name and address and the reason for and the duration of the
22 requested exemption; and

23 (2) [A person requesting an exemption due to a
24 physical or mental impairment must] attach to the affidavit a
25 statement from a physician. [The affidavit and physician's
26 statement may be submitted to the court at the time the person is
27 summoned for jury service or at any other time.]

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1 (f) An affidavit accompanying a request for an exemption
2 from jury service [~~because of a physical or mental impairment~~] may
3 be presented by the affiant or by a friend or relative of the
4 affiant. The affidavit must state:

5 (1) the name and address of the physician whose
6 statement accompanies the affidavit;

7 (2) whether the request is for a permanent or
8 temporary exemption;

11 (4) that as a direct result of the physical or mental
12 impairment it is impossible or very difficult for the affiant to
13 serve on a jury.

14 SECTION 5. Section 62.109(g), Government Code, is repealed.

15 SECTION 6. The change in law made by this Act applies only
16 to a juror who is impaneled on or after the effective date of this
17 Act. A juror who is impaneled before the effective date of this Act
18 is governed by the law in effect on the date the juror is impaneled,
19 and the former law is continued in effect for that purpose.

20 SECTION 7. This Act takes effect September 1, 2009.