

CHAPTER 424

H.B. No. 392

AN ACT

relating to justice court juries.

Be it enacted by the Legislature of the State of Texas:

SECTION 1. Section 62.012(b), Government Code, is amended to read as follows:

(b) On receiving the notice from the judge, the clerk shall immediately write on the jury list the date that the prospective jurors are to be summoned to appear and shall deliver the jury list to:

(1) the sheriff, for a county or district court jury; or

(2) the sheriff or constable, for a justice court jury.

SECTION 2. Section 62.013, Government Code, is amended to read as follows:

Sec. 62.013. SUMMONS FOR JURY SERVICE BY *SHERIFF OR CONSTABLE* [~~SHERIFFS~~]. (a) Except as provided by Section 62.014, the *sheriff or constable*, on receipt of a jury list from a county or district clerk, shall immediately notify the persons whose names are on the list to appear for jury service on the date designated by the judge.

(b) The *sheriff or constable* shall notify each prospective juror to appear for jury service:

(1) by an oral summons; or

(2) if the judge ordering the summons so directs, by a written summons sent by registered mail or certified mail, return receipt requested, or by first class mail to the address on the jury wheel card or the address on the current voter registration list of the county.

(c) Delivery of a written summons is sufficient if the mail containing the summons is received by a person authorized by the United States Postal Service to receive it.

(d) The content of an oral or written summons to appear for jury service is sufficient if it includes the time and place for the appearance of the prospective juror for jury service, the purpose for which he is to appear, and the penalty for his failure to appear as required.

SECTION 3. The heading of Subchapter D, Chapter 62, Government Code, is amended to read as follows:

SUBCHAPTER D. COUNTY COURT AND JUSTICE COURT JURIES

SECTION 4. Section 62.301, Government Code, is amended to read as follows:

Sec. 62.301. NUMBER OF JURORS. The jury in the county courts *and in the justice courts* is composed of six persons.

SECTION 5. Subchapter E, Chapter 62, Government Code, is repealed.

SECTION 6. (a) This Act takes effect September 1, 1993.

(b) This Act applies only to justice court jury selection on or after the effective date of this Act. A justice court jury that was selected before the effective date of this Act is governed by the law that existed at the time the jury was selected, and the former law is continued in effect for this purpose.

SECTION 7. The importance of this legislation and the crowded condition of the calendars in both houses create an emergency and an imperative public necessity that the constitutional rule requiring bills to be read on three several days in each house be suspended, and this rule is hereby suspended.

Passed by the House on April 23, 1993, by a non-record vote; passed by the Senate on May 19, 1993: Yeas 31, Nays 0.

Approved June 6, 1993.

Effective Sept. 1, 1993.