

SUBJECT: Filing exemptions from jury duty with county voter registrar

COMMITTEE: Judiciary and Civil Jurisprudence — favorable, without amendment

VOTE: 10 ayes — Jackson, Lewis, Bohac, Castro, S. Davis, Hartnett, Madden, Raymond, Scott, Thompson

0 nays

1 absent — Woolley

WITNESSES: None

BACKGROUND: Government Code, ch. 62 allows a person to establish an exemption from jury duty by filing a signed statement claiming the exemption with the clerk of the court that issued a summons to jury duty or with the sheriff, tax assessor-collector, district clerk, or county clerk of the county of the person’s residence. Records of those exempted from jury duty are maintained by the county tax-assessor collector.

Election Code, sec. 12.001 designates the county tax-assessor collector as the voter registrar of a county unless the county commissioners court has designated the county clerk or a county elections administrator as the voter registrar.

DIGEST: HB 229 would amend the Government Code to allow exemptions from jury service to be filed with the county’s designated voter registrar and would remove the option to file exemptions with the county tax assessor-collector. The bill also would transfer from the county tax assessor-collector to the county voter registrar responsibility for maintaining lists of people exempted from jury duty.

The bill would take effect September 1, 2011.

SUPPORTERS SAY: HB 229 would reduce redundant record-keeping by county officials by consolidating the responsibilities of maintaining voting registration records and maintaining lists of those exempted from jury duty into the office of the county voter registrar. This would allow the county voter

registrar more easily to maintain accurate data on the eligibility of potential jurors.

Jury pools are based largely on voter registration rolls, and county tax assessor-collectors once were widely responsible for maintaining those rolls. As such, it made sense to require tax assessor-collectors to maintain lists of persons exempted from jury duty.

This model is now outdated, as the Elections Code allows counties to designate another county official to maintain voter registration rolls as the voter registrar. Now only 10 counties still designate their tax assessor-collectors as county voter registrars. Of the other 244 counties, 163 have either the county or district clerk designated as the voter registrar, while the remaining 81 have a separate elections administrator designated as the voter registrar. This means county tax assessor-collectors must receive data on those exempted from jury duty and process and maintain it for county voter registrars who, in turn, use it to create jury pools. This system is inefficient.

HB 229 would strike language from the Government Code allowing jury duty exemptions to be filed with the tax assessor-collector and instead allow them to be filed with the official that the county has designated as the voter registrar. In those few counties where the tax-assessor collector still functions as the voter registrar, HB 229 would not change a thing. In the majority of counties where another county official is the voter registrar, HB 229 would consolidate these record-keeping duties into that office, freeing county tax assessor-collectors to focus on their core responsibilities.

**OPPONENTS
SAY:**

No apparent opposition.

NOTES:

The identical companion bill, SB 85 by Nelson, passed the Senate by 31-0 on March 17 on the Local and Uncontested Calendar. It was received from the Senate on March 17 and awaits referral to House committee.