Chapter 287

1

_ _ _ _ ... __-

S.B. No. 46

relating to allowing judges to use juror identification numbers
when polling the jury.

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

SECTION 1. Article 37.05, Code of Criminal Procedure, is
amended to read as follows:

Art. 37.05. POLLING THE JURY. (a) The State and [or] the
defendant each [shall] have the right to have the jury polled, which

AN ACT

9 is done by calling separately the name <u>or identification number</u> of
10 each juror and asking <u>the juror</u> [him] if the verdict is <u>the juror's</u>
11 [his]. If all <u>jurors</u>, when asked, answer in the affirmative, the
12 verdict shall be entered upon the minutes; but if any juror <u>answers</u>
13 [answer] in the negative, the jury shall retire again to consider
14 its verdict.

(b) For the purposes of polling the jury in Subsection (a),
the judge may assign each juror an identification number to use in
place of the juror's name.

SECTION 2. This Act takes effect September 1, 2017.

S.B. No. 46

818 e e

Day atal De Strawn
President of the Senate Speaker of the House
I hereby certify that S.B. No. 46 passed the Senate on
March 1, 2017, by the following vote: Yeas 31, Nays 0
Latsu Law
Secretary of the Senate
I hereby certify that S.B. No. 46 passed the House on
May 18, 2017, by the following vote: Yeas 146, Nays 0, two
present not voting.
Chief Clerk of the House
Approved:
5-79-7017

FILED IN THE OFFICE OF THE SECRETARY OF STATE

8:00 PM O'CLOCK

Secretary of State

LEGISLATIVE BUDGET BOARD Austin, Texas

FISCAL NOTE, 85TH LEGISLATIVE REGULAR SESSION

April 26, 2017

TO: Honorable John T. Smithee, Chair, House Committee on Judiciary & Civil Jurisprudence

FROM: Ursula Parks, Director, Legislative Budget Board

IN RE: SB46 by Zaffirini (Relating to allowing judges to use juror identification numbers when

polling the jury.), As Engrossed

No significant fiscal implication to the State is anticipated.

The bill would permit a judge to assign each juror an identification number to allow for anonymous polling of the jury. Based on the analysis of the Office of Court Administration, duties and responsibilities associated with implementing the provisions of the bill could be accomplished by utilizing existing resources.

Local Government Impact

No significant fiscal implication to units of local government is anticipated.

Source Agencies: 212 Office of Court Administration, Texas Judicial Council

LBB Staff: UP, LBO, AG, MW, GDz

LEGISLATIVE BUDGET BOARD Austin, Texas

FISCAL NOTE, 85TH LEGISLATIVE REGULAR SESSION

February 12, 2017

TO: Honorable Joan Huffman, Chair, Senate Committee on State Affairs

FROM: Ursula Parks, Director, Legislative Budget Board

IN RE: SB46 by Zaffirini (Relating to allowing judges to use juror identification numbers when

polling the jury.), As Introduced

No significant fiscal implication to the State is anticipated.

The bill would permit a judge to assign each juror an identification number to allow for anonymous polling of the jury. Based on the analysis of the Office of Court Administration, duties and responsibilities associated with implementing the provisions of the bill could be accomplished by utilizing existing resources.

Local Government Impact

No significant fiscal implication to units of local government is anticipated.

Source Agencies: 212 Office of Court Administration, Texas Judicial Council

LBB Staff: UP, AG, MW, GDz