

A JOINT RESOLUTION

1 proposing a constitutional amendment to permit a six-person jury in
2 a district court misdemeanor trial.

3 BE IT RESOLVED BY THE LEGISLATURE OF THE STATE OF TEXAS:

4 SECTION 1. Section 13, Article V, Texas Constitution, is
5 amended to read as follows:

6 Sec. 13. Grand and petit juries in the District Courts shall
7 be composed of twelve persons, except that petit juries in a
8 criminal case below the grade of felony shall be composed of six
9 persons; but nine members of a grand jury shall be a quorum to
10 transact business and present bills. In trials of civil cases[~~and~~
11 ~~in trials of criminal cases below the grade of felony~~] in the
12 District Courts, nine members of the jury, concurring, may render a
13 verdict, but when the verdict shall be rendered by less than the
14 whole number, it shall be signed by every member of the jury
15 concurring in it. When, pending the trial of any case, one or more
16 jurors not exceeding three, may die, or be disabled from sitting,
17 the remainder of the jury shall have the power to render the
18 verdict; provided, that the Legislature may change or modify the
19 rule authorizing less than the whole number of the jury to render a
20 verdict.

21 SECTION 2. The proposed constitutional amendment shall be
22 submitted to the voters at an election to be held September 13,
23 2003. The ballot shall be printed to permit voting for or against
24 the proposition: "The constitutional amendment to permit a

1 six-person jury in a district court misdemeanor trial."

David Swinhart

President of the Senate

Jim Cusick

Speaker of the House

I certify that H.J.R. No. 44 was passed by the House on May 2, 2003, by the following vote: Yeas 135, Nays 0, 3 present, not voting; and that the House concurred in Senate amendments to H.J.R. No. 44 on May 30, 2003, by the following vote: Yeas 143, Nays 0, 2 present, not voting.

Robert Haney

Chief Clerk of the House

I certify that H.J.R. No. 44 was passed by the Senate, with amendments, on May 28, 2003, by the following vote: Yeas 31, Nays 0.


FILED IN THE OFFICE OF THE
SECRETARY OF STATE
10:05 O'CLOCK

JUN 02 2003

RECEIVED: _____

Date


Secretary of State


Secretary of the Senate