

By: Moody

H.B. No. 3016

A BILL TO BE ENTITLED

AN ACT

1  
2 relating to the prohibited suspension of a provision of the Code of  
3 Criminal Procedure or Penal Code during a declared state of  
4 disaster.

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

6 SECTION 1. Section 418.012, Government Code, is amended to  
7 read as follows:

8 Sec. 418.012. EXECUTIVE ORDERS. (a) Under this chapter,  
9 the governor may issue executive orders, proclamations, and  
10 regulations and amend or rescind them. Executive orders,  
11 proclamations, and regulations have the force and effect of law.

12 (b) An executive order, proclamation, or regulation issued  
13 by the governor under this chapter may not suspend a provision in  
14 the Code of Criminal Procedure or Penal Code.

15 SECTION 2. Section 418.012, Government Code, as amended by  
16 this Act, applies only to a declaration of a state of disaster  
17 issued or renewed on or after the effective date of this Act. A  
18 declaration issued before the effective date of this Act is  
19 governed by the law in effect immediately before the effective date  
20 of this Act, and that law is continued in effect for that purpose.

21 SECTION 3. This Act takes effect immediately if it receives  
22 a vote of two-thirds of all the members elected to each house, as  
23 provided by Section 39, Article III, Texas Constitution. If this  
24 Act does not receive the vote necessary for immediate effect, this

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1 Act takes effect September 1, 2021.