

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.