

1-1 By: West S.B. No. 112
1-2 (In the Senate - Filed November 9, 2020; March 3, 2021, read
1-3 first time and referred to Committee on Criminal Justice;
1-4 April 21, 2021, reported favorably by the following vote: Yeas 7,
1-5 Nays 0; April 21, 2021, sent to printer.)

1-6 COMMITTEE VOTE

	Yea	Nay	Absent	PNV
1-7				
1-8	Whitmire	X		
1-9	Huffman	X		
1-10	Bettencourt	X		
1-11	Birdwell	X		
1-12	Hinojosa	X		
1-13	Miles	X		
1-14	Nichols	X		

1-15 A BILL TO BE ENTITLED
1-16 AN ACT

1-17 relating to the requirements of an affidavit supporting the
1-18 installation and use of a mobile tracking device.

1-19 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

1-20 SECTION 1. Article 18B.202(c), Code of Criminal Procedure,
1-21 is amended to read as follows:

1-22 (c) The affidavit must:

1-23 (1) state the name, department, agency, and address of
1-24 the applicant;

1-25 (2) identify the vehicle, container, or item to which,
1-26 in which, or on which the mobile tracking device is to be attached,
1-27 placed, or otherwise installed;

1-28 (3) state the name of the owner or possessor of the
1-29 vehicle, container, or item identified under Subdivision (2);

1-30 (4) state the judicial jurisdictional area in which
1-31 the vehicle, container, or item identified under Subdivision (2) is
1-32 expected to be found; and

1-33 (5) state the facts and circumstances that provide the
1-34 applicant with probable cause to believe [~~a reasonable suspicion~~]
1-35 that:

1-36 (A) criminal activity has been, is, or will be
1-37 committed; and

1-38 (B) the installation and use of a mobile tracking
1-39 device is likely to produce information that is material to an
1-40 ongoing criminal investigation of that criminal activity.

1-41 SECTION 2. This Act takes effect September 1, 2021.

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