

By: Whitmire, et al.

S.B. No. 402

A BILL TO BE ENTITLED

AN ACT

relating to the preference given by trial courts to hearings and trials for murder and capital murder offenses.

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

SECTION 1. Section 23.101(a), Government Code, is amended to read as follows:

(a) Except as provided by Subsection (b-1), the trial courts of this state shall regularly and frequently set hearings and trials of pending matters, giving preference to hearings and trials of the following:

(1) temporary injunctions;

(2) criminal actions, with the following actions given preference over other criminal actions:

(A) criminal actions against defendants who are detained in jail pending trial;

(B) criminal actions involving a charge that a person committed an act of family violence, as defined by Section 71.004, Family Code;

(C) an offense under:

(i) Section 19.02, 19.03, 21.02, or 21.11, Penal Code;

(ii) Chapter 22, Penal Code, if the victim of the alleged offense is younger than 17 years of age;

(iii) Section 25.02, Penal Code, if the

1 victim of the alleged offense is younger than 17 years of age;

2 (iv) Section 25.06, Penal Code;

3 (v) Section 43.25, Penal Code; or

4 (vi) Section 20A.02(a)(7), 20A.02(a)(8),
5 or 20A.03, Penal Code;

6 (D) an offense described by Article 62.001(6)(C)
7 or (D), Code of Criminal Procedure; and

8 (E) criminal actions against persons who are
9 detained as provided by Section 51.12, Family Code, after transfer
10 for prosecution in criminal court under Section 54.02, Family Code;

11 (3) election contests and suits under the Election
12 Code;

13 (4) orders for the protection of the family under
14 Subtitle B, Title 4, Family Code;

15 (5) appeals of final rulings and decisions of the
16 division of workers' compensation of the Texas Department of
17 Insurance regarding workers' compensation claims and claims under
18 the Federal Employers' Liability Act and the Jones Act;

19 (6) appeals of final orders of the commissioner of the
20 General Land Office under Section 51.3021, Natural Resources Code;

21 (7) actions in which the claimant has been diagnosed
22 with malignant mesothelioma, other malignant asbestos-related
23 cancer, malignant silica-related cancer, or acute silicosis; and

24 (8) appeals brought under Section 42.01 or 42.015, Tax
25 Code, of orders of appraisal review boards of appraisal districts
26 established for counties with a population of less than 175,000.

27 SECTION 2. This Act takes effect September 1, 2023.