

By: Vasut

H.B. No. 525

A BILL TO BE ENTITLED

AN ACT

relating to a subpoena to compel the attendance of certain peace officers who are witnesses in a misdemeanor case punishable by fine only.

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

SECTION 1. Article 24.16, Code of Criminal Procedure, is amended to read as follows:

Art. 24.16. APPLICATION FOR OUT-COUNTY WITNESS. In ~~[Where,~~
~~in]~~ misdemeanor cases in which confinement in jail is a permissible punishment, or in felony cases, if a witness resides out of the county in which the prosecution is pending, or in a misdemeanor case punishable by fine only, if a peace officer is a witness residing out of the county in which the prosecution is pending, the state ~~[State]~~ or the defendant is ~~[shall be]~~ entitled, either in term-time or in vacation, to a subpoena to compel the attendance of the ~~[such]~~ witness on application to the proper clerk or magistrate. The ~~[Such]~~ application must ~~[shall]~~ be in the manner and form as provided in Article 24.03. Witnesses in ~~[such]~~ misdemeanor cases shall be compensated in the same manner as in felony cases. This article does ~~[Article shall]~~ not apply to more than one character witness in a misdemeanor case.

SECTION 2. The change in law made by this Act applies only to a criminal proceeding that commences on or after the effective date of this Act. A criminal proceeding that commences before the

1 effective date of this Act is governed by the law in effect on the
2 date the proceeding commenced, and the former law is continued in
3 effect for that purpose.

4 SECTION 3. This Act takes effect September 1, 2025.