

By: Leach

H.B. No. 4075

A BILL TO BE ENTITLED

AN ACT

relating to change of venue in certain criminal cases involving a peace officer.

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

SECTION 1. Subchapter A, Chapter 31A, Code of Criminal Procedure, is amended by adding Article 31A.0021 to read as follows:

Art. 31A.0021. CHANGE OF VENUE FOR CERTAIN OFFENSES COMMITTED BY PEACE OFFICERS. On a motion by the defendant the judge shall order a change of venue if the defendant:

(1) Is a peace officer or was a peace officer at the time of the alleged offense; and

(2) Has been charged with an offense allegedly committed under color of the defendant's employment as a peace officer.

SECTION 2. The change in law made by this Act applies only to a defendant charged with an offense committed on or after the effective date of this Act. A defendant charged with an offense committed before the effective date of this Act is governed by the law in effect on the date the offense was committed, and the former law is continued in effect for that purpose. For purposes of this section, an offense was committed before the effective date of this Act if any element of the offense occurred before that date.

SECTION 3. This Act takes effect immediately if it receives

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1 a vote of two-thirds of all the members elected to each house, as
2 provided by Section 39, Article III, Texas Constitution. If this
3 Act does not receive the vote necessary for immediate effect, this
4 Act takes effect September 1, 2025.