

AN ACT

relating to an arrest warrant or complaint for the issuance of a bad check.

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

SECTION 1. Article 45.014, Code of Criminal Procedure, is amended by adding Subsection (d) to read as follows:

(d) In a county with a population of more than two million that does not have a county attorney, a justice or judge may not issue a warrant under this section for an offense under Section 32.41, Penal Code, unless the district attorney has approved the complaint or affidavit on which the warrant is based.

SECTION 2. Article 45.019, Code of Criminal Procedure, is amended by adding Subsection (g) to read as follows:

(g) In a county with a population of more than two million that does not have a county attorney, a complaint for an offense under Section 32.41, Penal Code, must be approved by the district attorney, regardless of whether a collection proceeding is initiated by the district attorney under Section 32.41(e), Penal Code.

SECTION 3. The change in law made by this Act applies only to a complaint or warrant filed or issued on or after the effective date of this Act. A complaint or warrant filed or issued before the effective date of this Act is governed by the law in effect when the complaint or warrant was filed or issued, and the former law is

1 continued in effect for that purpose.

2 SECTION 4. This Act takes effect September 1, 2005.

President of the Senate

Speaker of the House

I certify that H.B. No. 2885 was passed by the House on April 22, 2005, by a non-record vote.

Chief Clerk of the House

I certify that H.B. No. 2885 was passed by the Senate on May 24, 2005, by the following vote: Yeas 31, Nays 0.

Secretary of the Senate

APPROVED: _____

Date

Governor