

By: Giddings

H.B. No. 2885

A BILL TO BE ENTITLED

AN ACT

1
2 relating to an arrest warrant or complaint for the issuance of a bad
3 check.

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

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

7 (d) In a county with a population of more than two million
8 that does not have a county attorney, a justice or judge may not
9 issue a warrant under this section for an offense under Section
10 32.41, Penal Code, unless the district attorney has approved the
11 complaint or affidavit on which the warrant is based.

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

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

20 SECTION 3. The change in law made by this Act applies only
21 to a complaint or warrant filed or issued on or after the effective
22 date of this Act. A complaint or warrant filed or issued before the
23 effective date of this Act is governed by the law in effect when the
24 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.