

BILL ANALYSIS

S.B. 1244
By: Whitmire
Judiciary
Committee Report (Unamended)

BACKGROUND AND PURPOSE

Currently, investigators employed by a prosecuting attorney have the authority to serve numerous documents, including warrants, subpoenas, and processes, in criminal cases. However, the authority to serve documents in civil cases is not explicit.

The bill ensures that investigators employed by a prosecuting attorney have the authority to serve warrants, subpoenas, and other processes in civil cases.

RULEMAKING AUTHORITY

It is the committee's opinion that this bill does not expressly grant any additional rulemaking authority to a state officer, department, agency, or institution.

ANALYSIS

The bill amends Section 41.109(a), Government Code, to provide that an investigator appointed by a prosecuting attorney has the same authority as the sheriff of the county to perform processes in civil cases issued by a district court, county court, or justice court of this state.

EFFECTIVE DATE

Immediately on receipt of required vote; otherwise September 1, 2007.