

By: Cook of Colorado

H.B. No. 3131

A BILL TO BE ENTITLED

AN ACT

relating to the issuance of certain search warrants.

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

SECTION 1. Article 18.01(i), Code of Criminal Procedure, is amended to read as follows:

(i) In a county that does not have a judge of a municipal court of record who is an attorney licensed by the state, a county court judge who is an attorney licensed by the state, or a statutory county court judge ~~[in which the only judge serving the county who is a licensed attorney is a district judge whose district includes more than one county or in which the only judges serving the county who are licensed attorneys are two or more district judges each of whose district includes more than one county]~~, any magistrate may issue a search warrant under Subdivision (10) or Subdivision (12) of Article 18.02 of this code. This subsection ~~[section]~~ is not applicable to a subsequent search warrant under Subdivision (10) of Article 18.02 of this code.

SECTION 2. (a) The change in law made by this Act applies only to a warrant issued on or after the effective date of this Act.

(b) A warrant issued before the effective date of this Act is covered by the law in effect when the warrant was issued, and the former law is continued in effect for that purpose.

SECTION 3. This Act takes effect September 1, 2007.