

By: Cook of Colorado

H.B. No. 3131

A BILL TO BE ENTITLED

1 AN ACT

2 relating to the issuance of certain search warrants.

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

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

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

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

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

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