

1-1 By: Cook of Colorado (Senate Sponsor - Hegar) H.B. No. 3131
1-2 (In the Senate - Received from the House May 3, 2007;
1-3 May 7, 2007, read first time and referred to Committee on Criminal
1-4 Justice; May 18, 2007, reported favorably by the following vote:
1-5 Yeas 5, Nays 0; May 18, 2007, sent to printer.)

1-6 A BILL TO BE ENTITLED
1-7 AN ACT

1-8 relating to the issuance of certain search warrants.

1-9 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

1-10 SECTION 1. Article 18.01(i), Code of Criminal Procedure, is
1-11 amended to read as follows:

1-12 (i) In a county that does not have a judge of a municipal
1-13 court of record who is an attorney licensed by the state, a county
1-14 court judge who is an attorney licensed by the state, or a statutory
1-15 county court judge ~~[in which the only judge serving the county who~~
1-16 ~~is a licensed attorney is a district judge whose district includes~~
1-17 ~~more than one county or in which the only judges serving the county~~
1-18 ~~who are licensed attorneys are two or more district judges each of~~
1-19 ~~whose district includes more than one county]~~, any magistrate may
1-20 issue a search warrant under Subdivision (10) or Subdivision (12)
1-21 of Article 18.02 of this code. This subsection ~~[section]~~ is not
1-22 applicable to a subsequent search warrant under Subdivision (10) of
1-23 Article 18.02 of this code.

1-24 SECTION 2. (a) The change in law made by this Act applies
1-25 only to a warrant issued on or after the effective date of this Act.

1-26 (b) A warrant issued before the effective date of this Act
1-27 is covered by the law in effect when the warrant was issued, and the
1-28 former law is continued in effect for that purpose.

1-29 SECTION 3. This Act takes effect September 1, 2007.

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