

SENATE AMENDMENTS

2nd Printing

By: Gonzalez Toureilles, Pena, Escobar

H.B. No. 587

A BILL TO BE ENTITLED

AN ACT

relating to the recording of certain information by the clerk of a court.

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

SECTION 1. Article 20.22, Code of Criminal Procedure, is amended to read as follows:

Art. 20.22. PRESENTMENT ENTERED OF RECORD. The fact of a presentment of indictment by a grand jury shall be entered upon the record [~~minutes~~] of the court, if the defendant is in custody or under bond, noting briefly the style of the criminal action and the file number of the indictment and the defendant's name. If the defendant is not in custody or under bond at the time of the presentment of indictment, the entry in the record [~~minutes~~] of the court relating to said indictment shall be delayed until such time as the capias is served and the defendant is placed in custody or under bond.

SECTION 2. Article 33.07, Code of Criminal Procedure, is amended to read as follows:

Art. 33.07. RECORD OF CRIMINAL ACTIONS [~~DOCKET~~]. Each clerk of a court of record having criminal jurisdiction shall keep a record [~~docket~~] in which shall be set down the style and file number of each criminal action, the nature of the offense, the names of counsel, the proceedings had therein, and the date of each proceeding.

1 SECTION 3. Section 12.014(c), Property Code, is amended to
2 read as follows:

3 (c) If a transfer of a judgment is filed, the clerk shall
4 record the transfer appropriately [~~note the transfer on the margin~~
5 ~~of the minute book at the place where the judgment is recorded~~]. If
6 a transfer of a cause of action in which a judgment has not been
7 rendered is filed, the clerk shall note and briefly state the
8 substance of the transfer on the court docket at the place where the
9 suit is entered.

10 SECTION 4. This Act takes effect September 1, 2007.

ADOPTED

MAY 17 2007

Lotay Spaw
Secretary of the Senate

FLOOR AMENDMENT NO. 1

BY: 

1 Amend H.B. No. 587 (Senate Committee Printing) by adding the
2 following appropriately numbered SECTION and renumbering
3 subsequent SECTIONS of the bill accordingly:

4 SECTION ____ Article 20.02, Code of Criminal Procedure, is
5 amended by adding Subsection (h) to read as follows:

6 (h) A subpoena or summons relating to a grand jury
7 proceeding or investigation must be kept secret to the extent and
8 for as long as necessary to prevent the unauthorized disclosure of a
9 matter before the grand jury. This subsection may not be construed
10 to limit a disclosure permitted by Subsection (c), (d), or (e).

LEGISLATIVE BUDGET BOARD
Austin, Texas

FISCAL NOTE, 80TH LEGISLATIVE REGULAR SESSION

April 9, 2007

TO: Honorable Jeff Wentworth, Chair, Senate Committee on Jurisprudence

FROM: John S. O'Brien, Director, Legislative Budget Board

IN RE: **HB587** by Gonzalez Toureilles (Relating to the recording of certain information by the clerk of a court.), **As Engrossed**

No fiscal implication to the State is anticipated.

The bill would amend the Code of Criminal Procedure and the Property Code relating to the recording of certain information by the clerk of a court. The bill would make minor changes in court procedures and no fiscal implication to the State is anticipated. The bill would take effect September 1, 2007.

Local Government Impact

No fiscal implication to units of local government is anticipated.

Source Agencies: 212 Office of Court Administration, Texas Judicial Council

LBB Staff: JOB, MN, ES, ZS, TB

LEGISLATIVE BUDGET BOARD
Austin, Texas

FISCAL NOTE, 80TH LEGISLATIVE REGULAR SESSION

February 26, 2007

TO: Honorable Aaron Pena, Chair, House Committee on Criminal Jurisprudence

FROM: John S. O'Brien, Director, Legislative Budget Board

IN RE: HB587 by Gonzalez Toureilles (Relating to the recording of certain information by the clerk of a court.), **As Introduced**

No fiscal implication to the State is anticipated.

The bill would amend the Code of Criminal Procedure and the Property Code relating to the recording of certain information by the clerk of a court. The bill would make minor changes in court procedures and no fiscal implication to the State is anticipated. The bill would take effect September 1, 2007.

Local Government Impact

No fiscal implication to units of local government is anticipated.

Source Agencies: 212 Office of Court Administration, Texas Judicial Council

LBB Staff: JOB, ES, ZS, TB

LEGISLATIVE BUDGET BOARD
Austin, Texas

CRIMINAL JUSTICE IMPACT STATEMENT

80TH LEGISLATIVE REGULAR SESSION

May 4, 2007

TO: Honorable Jeff Wentworth, Chair, Senate Committee on Jurisprudence

FROM: John S. O'Brien, Director, Legislative Budget Board

IN RE: HB587 by Gonzalez Toureilles (Relating to the recording of certain information by the clerk of a court.), **As Engrossed**

No significant impact on the programs and workload of state corrections agencies or on the demand for resources and services of those agencies is anticipated from any provisions of this bill that authorize or require a change in the sanctions applicable to adults convicted of felony crimes.

Source Agencies:

LBB Staff: JOB, GG

LEGISLATIVE BUDGET BOARD
Austin, Texas

CRIMINAL JUSTICE IMPACT STATEMENT

80TH LEGISLATIVE REGULAR SESSION

February 25, 2007

TO: Honorable Aaron Pena, Chair, House Committee on Criminal Jurisprudence

FROM: John S. O'Brien, Director, Legislative Budget Board

IN RE: HB587 by Gonzalez Toureilles (Relating to the recording of certain information by the clerk of a court.), **As Introduced**

No significant impact on the programs and workload of state corrections agencies or on the demand for resources and services of those agencies is anticipated from any provisions of this bill that authorize or require a change in the sanctions applicable to adults convicted of felony crimes.

Source Agencies:

LBB Staff: JOB, GG