

BILL ANALYSIS

H.B. 1060
By: Miklos
Criminal Jurisprudence
Committee Report (Unamended)

BACKGROUND AND PURPOSE

Currently, a law enforcement office is only authorized to transmit a warrant of arrest or a complaint charging the commission of an offense by telegraph. With access to more secure and reliable forms of electronic transmission, law enforcement offices should not be required to pay the costs of maintenance and repair of outdated technology.

H.B. 1060 authorizes a warrant of arrest or a complaint to be forwarded by any method that ensures the transmission of a duplicate of the original warrant, including secure facsimile transmission or other secure electronic means. The bill authorizes certain magistrates to give notice to a sheriff of the arrest and commitment of an arrested person by secure facsimile transmission or other secure electronic means.

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

H.B. 1060 amends the Code of Criminal Procedure to authorize a warrant of arrest to be forwarded by any method that ensures the transmission of a duplicate of the original warrant, including secure facsimile transmission or other secure electronic means in addition to telegraph transmission from any telegraph office to another in Texas. The bill authorizes a complaint charging the commission of an offense to be forwarded in the same manner to any magistrate in Texas. The bill authorizes a magistrate who is committing an arrested person who fails or refuses to give bail to the jail of the county where the person was arrested and who is required to give notice of the arrest and commitment to the sheriff of the county in which the offense is alleged to have been committed to give such notice by secure facsimile transmission or other secure electronic means, in addition to other means.

EFFECTIVE DATE

September 1, 2009.