

BILL ANALYSIS

S.B. 2438
By: Uresti
Criminal Jurisprudence
Committee Report (Unamended)

BACKGROUND AND PURPOSE

The bill would facilitate the location of defendants who have fled the state, to the benefit of law enforcement personnel, prosecutors, victims, and bail bond sureties. The bill would also alert out-of-state officers making a stop that a person has failed to appear in a criminal case in Texas.

As proposed, S.B. 2438 relates to imposing a duty on a sheriff to report certain warrant or capias information to a national database.

RULEMAKING AUTHORITY

This bill does not expressly grant any additional rulemaking authority to a state officer, institution, or agency.

SECTION BY SECTION ANALYSIS

SECTION 1. Amends Chapter 2, Code of Criminal Procedure, by adding Article 2.195, as follows:

Art. 2.195. DUTY TO REPORT WARRANT OR CAPIAS INFORMATION. Requires the sheriff, within 30 days of the day the court clerk issues the warrant, to report to the national crime information center each warrant or capias issued for a defendant charged with an offense other than a Class C misdemeanor who fails to appear in court when summoned.

SECTION 2. Effective date: upon passage or September 1, 2009.

EFFECTIVE DATE

Upon passage or September 1, 2009.