

By: Christian

H.B. No. 566

A BILL TO BE ENTITLED

AN ACT

1
2 relating to proper venue for certain criminal prosecutions of an
3 elected state officer.

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

5 SECTION 1. Chapter 13, Code of Criminal Procedure, is
6 amended by adding Article 13.33 to read as follows:

7 Art. 13.33. PROSECUTION OF ELECTED STATE OFFICER. (a) For
8 purposes of this article, the following are offenses against public
9 administration:

10 (1) an offense under Title 8, Penal Code, committed by
11 a state officer in connection with the powers and duties of the
12 state office;

13 (2) an offense under Chapter 301, 302, 305, 571, 572,
14 or 2004, Government Code;

15 (3) an offense under Chapter 573, Government Code,
16 committed by a state officer in connection with the powers and
17 duties of the state office; and

18 (4) an offense under Title 15, Election Code,
19 committed in connection with a campaign for or the holding of state
20 office.

21 (b) The only proper county for the prosecution of an offense
22 involving official misconduct or an offense against public
23 administration committed by an individual who is an elected state
24 officer or who is appointed to fill a vacancy in an elective office

1 of state government is the county in which the individual resides.

2 SECTION 2. This Act applies only to the prosecution of an
3 offense commenced by the filing of an indictment or information on
4 or after the effective date of this Act. A prosecution commenced
5 before the effective date of this Act is governed by the law in
6 effect at the time the prosecution is commenced, and the former law
7 is continued in effect for that purpose.

8 SECTION 3. This Act takes effect September 1, 2009.