

1-1 By: Miklos (Senate Sponsor - Carona) H.B. No. 1060  
1-2 (In the Senate - Received from the House April 16, 2009;  
1-3 April 16, 2009, read first time and referred to Committee on  
1-4 Criminal Justice; May 14, 2009, reported favorably by the  
1-5 following vote: Yeas 7, Nays 0; May 14, 2009, sent to printer.)

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

1-8 relating to certain procedures for forwarding a warrant of arrest  
1-9 or a complaint in a criminal case.

1-10 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

1-11 SECTION 1. Articles 15.08 and 15.09, Code of Criminal  
1-12 Procedure, are amended to read as follows:

1-13 Art. 15.08. WARRANT MAY BE FORWARDED [~~TELEGRAPHED~~]. A  
1-14 warrant of arrest may be forwarded by any method that ensures the  
1-15 transmission of a duplicate of the original warrant, including  
1-16 secure facsimile transmission or other secure electronic means or a  
1-17 telegraph transmission from any telegraph office to another in this  
1-18 State. If issued by any magistrate named in Article 15.06, the  
1-19 peace officer receiving the same shall execute it without delay. If  
1-20 it be issued by any other magistrate than is named in Article 15.06,  
1-21 the peace officer receiving the same shall proceed with it to the  
1-22 nearest magistrate of the peace officer's [~~his~~] county, who shall  
1-23 endorse thereon, in substance, these words:

1-24 "Let this warrant be executed in the county of .....",  
1-25 which endorsement shall be dated and signed officially by the  
1-26 magistrate making the same.

1-27 Art. 15.09. COMPLAINT MAY BE FORWARDED [~~BY TELEGRAPH~~]. A  
1-28 complaint in accordance with Article 15.05, may be forwarded  
1-29 [~~telegraphed,~~] as provided by Article 15.08 [~~in the preceding~~  
1-30 ~~Article,~~] to any magistrate in the State; and the magistrate who  
1-31 receives the same shall forthwith issue a warrant for the arrest of  
1-32 the accused; and the accused, when arrested, shall be dealt with as  
1-33 provided in this Chapter in similar cases.

1-34 SECTION 2. Article 15.19(a), Code of Criminal Procedure, is  
1-35 amended to read as follows:

1-36 (a) If the arrested person fails or refuses to give bail, as  
1-37 provided in Article 15.18, the arrested person shall be committed  
1-38 to the jail of the county where the person was arrested; and the  
1-39 magistrate committing the arrested person shall immediately  
1-40 provide notice to the sheriff of the county in which the offense is  
1-41 alleged to have been committed regarding:

1-42 (1) the arrest and commitment, which notice may be  
1-43 given by telegraph, mail, or other written means or by secure  
1-44 facsimile transmission or other secure electronic means; and

1-45 (2) whether the person was also arrested under a  
1-46 warrant issued under Section 508.251, Government Code.

1-47 SECTION 3. This Act takes effect September 1, 2009.

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