

By: Guillen

H.B. No. 1399

A BILL TO BE ENTITLED

AN ACT

relating to the powers and duties of a municipal court judge with respect to certain inquests.

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

SECTION 1. Chapter 49, Code of Criminal Procedure, is amended by adding Subchapter C to read as follows:

SUBCHAPTER C. DUTIES PERFORMED BY MUNICIPAL COURT JUDGES

Art. 49.51. POWERS AND DUTIES. A judge of a municipal court may conduct an inquest under this chapter into the death of a person who dies in the municipality served by the judge to the same extent a justice of the peace serving the precinct in which the body or body part was found may conduct an inquest under Subchapter A into the death of that person. The municipal court judge may exercise any power granted to, and shall perform any duty imposed on, the justice of the peace by Subchapter A or another law relating to inquests conducted by a justice of the peace.

SECTION 2. Article 49.07, Code of Criminal Procedure, is amended by adding Subsection (c-1) to read as follows:

(c-1) A person who is required by this subchapter to give notice to a justice of the peace or county judge may instead give notice to a judge of a municipal court in the municipality in which the body or body part was found.

SECTION 3. This Act takes effect immediately if it receives a vote of two-thirds of all the members elected to each house, as

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1 provided by Section 39, Article III, Texas Constitution. If this
2 Act does not receive the vote necessary for immediate effect, this
3 Act takes effect September 1, 2009.