

1-1 By: Oliveira, Lucio III (Senate Sponsor - Lucio) H.B. No. 3417
1-2 (In the Senate - Received from the House May 13, 2009;
1-3 May 14, 2009, read first time and referred to Committee on Criminal
1-4 Justice; May 22, 2009, rereferred to Committee on International
1-5 Relations and Trade; May 25, 2009, reported favorably by the
1-6 following vote: Yeas 6, Nays 0; May 25, 2009, sent to printer.)

1-7 A BILL TO BE ENTITLED
1-8 AN ACT

1-9 relating to the jurisdiction of criminal law hearing officers in
1-10 Cameron County.

1-11 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

1-12 SECTION 1. Section 54.1356(a), Government Code, is amended
1-13 to read as follows:

1-14 (a) A criminal law hearing officer appointed under this
1-15 subchapter has limited concurrent jurisdiction over criminal cases
1-16 filed in the district courts, statutory county courts, and justice
1-17 courts of the county. The jurisdiction of the criminal law hearing
1-18 officer is limited to:

1-19 (1) determining probable cause for further detention
1-20 of any person detained on a criminal complaint, information, or
1-21 indictment filed in the district courts, statutory county courts,
1-22 or justice courts of the county;

1-23 (2) committing the defendant to jail, discharging the
1-24 defendant from custody, or admitting the defendant to bail, as the
1-25 law and facts of the case require;

1-26 (3) issuing search warrants and arrest warrants as
1-27 provided by law for magistrates; ~~and~~

1-28 (4) as to criminal cases filed in justice courts,
1-29 disposing of cases as provided by law, other than by trial, and
1-30 collecting fines and enforcing judgments and orders of the justice
1-31 courts in criminal cases;

1-32 (5) hearing, considering, and ruling on writs of
1-33 habeas corpus filed under Article 17.151, Code of Criminal
1-34 Procedure; and

1-35 (6) on motion of the district attorney:

1-36 (A) dismissing a criminal case when the arresting
1-37 agency has not timely filed the offense report with the district
1-38 attorney; and

1-39 (B) reducing the amount of bond on prisoners held
1-40 at the county jail whose cases have not been filed in a district
1-41 court or a statutory county court.

1-42 SECTION 2. This Act takes effect September 1, 2009.

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