

BILL ANALYSIS

Senate Research Center
82R8845 NAJ-F

H.B. 2472
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Criminal Justice
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Engrossed

AUTHOR'S / SPONSOR'S STATEMENT OF INTENT

A warrant or capias issued for a defendant charged with any offense other than a Class C misdemeanor who fails to appear in court when summoned is reported to the national crime information center. The report is required for each warrant or capias issued for misdemeanors and felonies even when persons are not extradited from other states on misdemeanors. Furthermore, noncompliance with the reporting requirement may occur because it takes almost an hour to enter and report the warrant or capias information to the national crime information center. Interested parties assert that time and resources are wasted because the high volume of misdemeanor defendants who fail to appear in court triggers the reporting requirement.

H.B. 2472 seeks to resolve this issue and promote a more efficient warrant and capias reporting process.

H.B. 2472 amends current law relating to the reporting of certain warrant or capias information to the national crime information center.

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 Article 2.195, Code of Criminal Procedure, as follows:

Art. 2.195. New heading: REPORT OF WARRANT OR CAPIAS INFORMATION. Provides that, not later than the 30th day after the date the court clerk issues the warrant or capias, the sheriff:

- (1) is required to report to the national crime information center each warrant or capias issued for a defendant charged with a felony who fails to appear in court when summoned; and
- (2) is authorized to report to the national crime information center each warrant or capias issued for a defendant charged with a misdemeanor other than a Class C misdemeanor who fails to appear in court when summoned.

Deletes existing text requiring 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. Makes application of the change in law made by this Act to a warrant or capias, prospective.

SECTION 3. Effective date: September 1, 2011.