

BILL ANALYSIS

H.B. 2472
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Criminal Jurisprudence
Committee Report (Unamended)

BACKGROUND AND PURPOSE

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. It is noted that the report is required for each warrant or capias issued for misdemeanors and felonies, even though persons are not extradited from other states on misdemeanors. Furthermore, it has been reported that noncompliance with the reporting requirement may occur because it may take 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.

RULEMAKING AUTHORITY

It is the committee's opinion that this bill does not expressly grant any additional rulemaking authority to a state officer, department, agency, or institution.

ANALYSIS

H.B. 2472 amends the Code of Criminal Procedure to authorize, rather than require, a sheriff, not later than the 30th day after the date a court clerk issues a warrant or capias, 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. The bill clarifies that the sheriff is required to make that report for a defendant charged with a felony under those circumstances and makes nonsubstantive changes and a technical correction.

EFFECTIVE DATE

September 1, 2011.