

By: Christian

H.B. No. 1507

A BILL TO BE ENTITLED

AN ACT

relating to the issuance of certain search warrants in certain counties.

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

SECTION 1. Article 18.01(i), Code of Criminal Procedure, is amended to read as follows:

(i) In a county with a population of less than 100,000 ~~[that does not have a judge of a municipal court of record who is an attorney licensed by the state, a county court judge who is an attorney licensed by the state, or a statutory county court judge]~~, any magistrate may issue a search warrant under Subdivision (10) or Subdivision (12) of Article 18.02 of this code. This subsection is not applicable to a subsequent search warrant under Subdivision (10) of Article 18.02 of this code.

SECTION 2. The change in law made by this Act applies only to a warrant issued on or after the effective date of this Act. A warrant issued before the effective date of this Act is governed by the law in effect on the date the warrant was issued, and the former law is continued in effect for that purpose.

SECTION 3. This Act takes effect September 1, 2011.

COMMITTEE AMENDMENT NO. 1

Amend HB 1507 (introduced version) as follows:

(1) On page 1, line 7, strike "(i) In" and substitute "(i) (1) subject to subdivision (2), in ~~[In]~~".

(2) On page 1, between lines 14 and 15, insert the following:

(2) Before issuing a search warrant to which this subsection applies, a magistrate who is not an attorney must complete an annual training course of at least eight hours regarding the application for and issuance of search warrants under Articles 18.02 (10) and (12).

Christian