

By: Huffman
(Carter)

S.B. No. 485

A BILL TO BE ENTITLED

AN ACT

relating to proper venue for certain criminal prosecutions of mortgage fraud.

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

SECTION 1. Chapter 13, Code of Criminal Procedure, is amended by adding Article 13.271 to read as follows:

Art. 13.271. PROSECUTION OF MORTGAGE FRAUD. (a) In this article, "real estate transaction" means a sale, lease, trade, exchange, gift, grant, or other conveyance of a real property interest.

(b) Any offense under Chapter 32, Penal Code, that involves a real estate transaction may be prosecuted in:

(1) the county where the property is located; or

(2) any county in which part of the transaction occurred, including the generation of documentation supporting the transaction.

(c) An offense under Section 32.46, 32.48, or 32.49, Penal Code, that involves a real estate transaction may also be prosecuted in any county authorized by Article 13.27.

SECTION 2. This Act applies only to a criminal case in which the indictment, information, or complaint is presented to the court on or after the effective date of this Act. A criminal case in which the indictment, information, or complaint was presented to the court before the effective date of this Act is governed by the law

1 in effect when the indictment, information, or complaint was
2 presented, and the former law is continued in effect for that
3 purpose.

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