

1-1 By: Huffman S.B. No. 485
1-2 (In the Senate - Filed February 1, 2011; February 14, 2011,
1-3 read first time and referred to Committee on Jurisprudence;
1-4 March 14, 2011, reported favorably by the following vote: Yeas 5,
1-5 Nays 0; March 14, 2011, sent to printer.)

1-6 A BILL TO BE ENTITLED
1-7 AN ACT

1-8 relating to proper venue for certain criminal prosecutions of
1-9 mortgage fraud.

1-10 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

1-11 SECTION 1. Chapter 13, Code of Criminal Procedure, is
1-12 amended by adding Article 13.271 to read as follows:

1-13 Art. 13.271. PROSECUTION OF MORTGAGE FRAUD. (a) In this
1-14 article, "real estate transaction" means a sale, lease, trade,
1-15 exchange, gift, grant, or other conveyance of a real property
1-16 interest.

1-17 (b) Any offense under Chapter 32, Penal Code, that involves
1-18 a real estate transaction may be prosecuted in:

1-19 (1) the county where the property is located; or

1-20 (2) any county in which part of the transaction
1-21 occurred, including the generation of documentation supporting the
1-22 transaction.

1-23 (c) An offense under Section 32.46, 32.48, or 32.49, Penal
1-24 Code, that involves a real estate transaction may also be
1-25 prosecuted in any county authorized by Article 13.27.

1-26 SECTION 2. This Act applies only to a criminal case in which
1-27 the indictment, information, or complaint is presented to the court
1-28 on or after the effective date of this Act. A criminal case in which
1-29 the indictment, information, or complaint was presented to the
1-30 court before the effective date of this Act is governed by the law
1-31 in effect when the indictment, information, or complaint was
1-32 presented, and the former law is continued in effect for that
1-33 purpose.

1-34 SECTION 3. This Act takes effect September 1, 2011.

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