

By: Patrick

S.B. No. 1200

A BILL TO BE ENTITLED

1 AN ACT
2 relating to the venue for prosecution of misdemeanor cases in
3 justice of the peace courts located in certain counties.

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

5 SECTION 1. Subsection (a), Article 4.12, Code of Criminal
6 Procedure, is amended to read as follows:

7 (a) Except as otherwise provided by this article, a
8 misdemeanor case to be tried in justice court shall be tried:

9 (1) in the precinct in which the offense was
10 committed;

11 (2) in the precinct in which the defendant or any of
12 the defendants reside; ~~or~~

13 (3) with the written consent of the state and each
14 defendant or the defendant's attorney, in any other precinct within
15 the county; or

16 (4) if the offense was committed in a county with a
17 population of 3.3 million or more, in any precinct in the county
18 that is adjacent to the precinct in which the offense was committed.

19 SECTION 2. Subsection (a), Article 4.12, Code of Criminal
20 Procedure, as amended by this Act, applies only to an offense
21 committed on or after the effective date of this Act. An offense
22 committed before the effective date of this Act is covered by the
23 law in effect when the offense was committed, and the former law is
24 continued in effect for that purpose. For purposes of this section,

1 an offense was committed before the effective date of this Act if
2 any element of the offense occurred before that date.

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