

By: Patrick
(Fletcher, Riddle, Coleman)

S.B. No. 1200

A BILL TO BE ENTITLED

AN ACT

relating to the venue for prosecution of misdemeanor cases in justice of the peace courts located in certain counties.

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

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

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

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

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

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

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

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

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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.