

1-1 By: Patrick S.B. No. 1200
1-2 (In the Senate - Filed March 4, 2011; March 16, 2011, read
1-3 first time and referred to Committee on Criminal Justice;
1-4 April 27, 2011, reported adversely, with favorable Committee
1-5 Substitute by the following vote: Yeas 7, Nays 0; April 27, 2011,
1-6 sent to printer.)

1-7 COMMITTEE SUBSTITUTE FOR S.B. No. 1200 By: Patrick

1-8 A BILL TO BE ENTITLED
1-9 AN ACT

1-10 relating to the venue for prosecution of misdemeanor cases in
1-11 justice of the peace courts located in certain counties.

1-12 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

1-13 SECTION 1. Subsection (a), Article 4.12, Code of Criminal
1-14 Procedure, is amended to read as follows:

1-15 (a) Except as otherwise provided by this article, a
1-16 misdemeanor case to be tried in justice court shall be tried:

1-17 (1) in the precinct in which the offense was
1-18 committed;

1-19 (2) in the precinct in which the defendant or any of
1-20 the defendants reside; ~~or~~

1-21 (3) with the written consent of the state and each
1-22 defendant or the defendant's attorney, in any other precinct within
1-23 the county; or

1-24 (4) if the offense was committed in a county with a
1-25 population of 3.3 million or more, in any precinct in the county
1-26 that is adjacent to the precinct in which the offense was committed.

1-27 SECTION 2. Subsection (a), Article 4.12, Code of Criminal
1-28 Procedure, as amended by this Act, applies only to an offense
1-29 committed on or after the effective date of this Act. An offense
1-30 committed before the effective date of this Act is covered by the
1-31 law in effect when the offense was committed, and the former law is
1-32 continued in effect for that purpose. For purposes of this section,
1-33 an offense was committed before the effective date of this Act if
1-34 any element of the offense occurred before that date.

1-35 SECTION 3. This Act takes effect September 1, 2011.

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