

By: Lucio III

H.B. No. 3136

A BILL TO BE ENTITLED

AN ACT

relating to the jurisdiction and powers of a criminal law hearing officer in Cameron County.

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

SECTION 1. Section 54.1356(a), Government Code, is amended to read as follows:

(a) A criminal law hearing officer appointed under this subchapter has limited concurrent jurisdiction over criminal cases filed in the district courts, statutory county courts, and justice courts of the county. The jurisdiction of the criminal law hearing officer is limited to:

(1) determining probable cause for further detention of any person detained on a criminal complaint, information, or indictment filed in the district courts, statutory county courts, or justice courts of the county;

(2) committing the defendant to jail, discharging the defendant from custody, or admitting the defendant to bail, as the law and facts of the case require;

(3) issuing search warrants and arrest warrants as provided by law for magistrates;

(4) as to criminal cases filed in justice courts, disposing of cases as provided by law, other than by trial, and collecting fines and enforcing judgments and orders of the justice courts in criminal cases;

1 (5) hearing, considering, and ruling on writs of
2 habeas corpus filed under Article 17.151, Code of Criminal
3 Procedure; ~~and~~

4 (6) on motion of the district attorney:

5 (A) dismissing a criminal case when the arresting
6 agency has not timely filed the offense report with the district
7 attorney; and

8 (B) reducing the amount of bond on prisoners held
9 at the county jail whose cases have not been filed in a district
10 court or a statutory county court; and

11 (7) presiding over an extradition proceeding under
12 Article 51.13, Code of Criminal Procedure.

13 SECTION 2. Section 54.1358, Government Code, is amended by
14 adding Subsection (f) to read as follows:

15 (f) In accordance with Article 26.13, Code of Criminal
16 Procedure, a criminal law hearing officer may accept a plea of
17 guilty or nolo contendere from a defendant charged with a
18 misdemeanor offense.

19 SECTION 3. This Act takes effect September 1, 2013.