

By: Riddle

H.B. No. 2300

A BILL TO BE ENTITLED

AN ACT

relating to eliminating telegraph transmission as a method to communicate certain information in a criminal case.

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

SECTION 1. Article 15.08, Code of Criminal Procedure, is amended to read as follows:

Art. 15.08. WARRANT MAY BE FORWARDED. A warrant of arrest may be forwarded by any method that ensures the transmission of a duplicate of the original warrant, including secure facsimile transmission or other secure electronic means ~~[or a telegraph transmission from any telegraph office to another in this State]~~.

If issued by any magistrate named in Article 15.06, the peace officer receiving the same shall execute it without delay. If it be issued by any other magistrate than is named in Article 15.06, the peace officer receiving the same shall proceed with it to the nearest magistrate of the peace officer's county, who shall endorse thereon, in substance, these words:

"Let this warrant be executed in the county of . . . . .", which endorsement shall be dated and signed officially by the magistrate making the same.

SECTION 2. Article 15.19(a), Code of Criminal Procedure, is amended to read as follows:

(a) If the arrested person fails or refuses to give bail, as provided in Article 15.18, the arrested person shall be committed

1 to the jail of the county where the person was arrested. The ~~[, and~~  
2 ~~the]~~ magistrate committing the arrested person shall immediately  
3 provide notice to the sheriff of the county in which the offense is  
4 alleged to have been committed regarding:

5 (1) the arrest and commitment, which notice may be  
6 given by ~~[telegraph]~~ mail~~[,]~~ or other written means or by secure  
7 facsimile transmission or other secure electronic means; and

8 (2) whether the person was also arrested under a  
9 warrant issued under Section 508.251, Government Code.

10 SECTION 3. Articles 15.10, 15.11, 15.12, and 15.13, Code of  
11 Criminal Procedure, are repealed.

12 SECTION 4. This Act takes effect September 1, 2015.