

By: Rodriguez

S.B. No. 1040

A BILL TO BE ENTITLED

AN ACT

1
2 relating to the courts authorized to hear certain matters relating
3 to a *capias pro fine*.

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

5 SECTION 1. Article 45.045, Code of Criminal Procedure, is
6 amended by adding Subsection (a-1) to read as follows:

7 (a-1) Instead of placing the defendant in jail as authorized
8 by Subsection (a), the peace officer may bring the defendant before
9 another justice court in the same county or another municipal court
10 that is in the same territorial jurisdiction as, and that has
11 concurrent jurisdiction with, the court that issued the *capias pro*
12 *fine*.

13 SECTION 2. Article 45.046, Code of Criminal Procedure, is
14 amended by adding Subsection (d) to read as follows:

15 (d) For purposes of a hearing described by Subsection (a),
16 if the defendant cannot be immediately brought before the court
17 that entered the judgment and sentence against the defendant,
18 another justice court in the same county or another municipal court
19 that is in the same territorial jurisdiction as, and that has
20 concurrent jurisdiction with, the court that entered the judgment
21 and sentence may conduct the hearing.

22 SECTION 3. This Act takes effect September 1, 2015.