|  |
| --- |
| BILL ANALYSIS |

|  |
| --- |
| H.B. 1727 |
| By: Faircloth |
| Criminal Jurisprudence |
| Committee Report (Unamended) |

|  |
| --- |
| **BACKGROUND AND PURPOSE** Interested parties contend that problems regarding the issuance of certain search warrants can arise when the applicable municipal court of record for a county is actually located in a different county. H.B. 1727 seeks to remedy this situation by revising the circumstances under which such a warrant may be issued by any magistrate in the applicable county. |
| **CRIMINAL JUSTICE IMPACT**It is the committee's opinion that this bill does not expressly create a criminal offense, increase the punishment for an existing criminal offense or category of offenses, or change the eligibility of a person for community supervision, parole, or mandatory supervision. |
| **RULEMAKING AUTHORITY** It is the committee's opinion that this bill does not expressly grant any additional rulemaking authority to a state officer, department, agency, or institution. |
| **ANALYSIS** H.B. 1727 amends the Code of Criminal Procedure to change one of the circumstances under which any magistrate in a county may issue a search warrant for contraband subject to forfeiture or certain property or items constituting evidence of an offense or constituting evidence tending to show that a particular person committed an offense from the county not having a judge of a municipal court of record who is an attorney licensed by the state to the county not having a municipal court of record with a courtroom located in that county and a judge who is an attorney licensed by the state. |
| **EFFECTIVE DATE** September 1, 2017. |