

By: Perry

S.B. No. 378

A BILL TO BE ENTITLED

AN ACT

relating to the persons authorized to conduct an inquest in certain counties.

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

SECTION 1. The heading to Subchapter C, Chapter 27, Government Code, is amended to read as follows:

SUBCHAPTER C. CONDUCTING COURT AND INQUESTS

SECTION 2. Subchapter C, Chapter 27, Government Code, is amended by adding Section 27.0545 to read as follows:

Sec. 27.0545. EXCHANGE OF BENCHES: INQUESTS. (a) If a justice of the peace or the county judge of a county to which Subchapter A, Chapter 49, Code of Criminal Procedure, applies is not available to conduct an inquest into a person's death occurring in the county, the justice of the peace of the precinct in which the death occurred or the county judge may request a justice of the peace of another county to which that subchapter applies to conduct the inquest.

(b) A justice of the peace who on request conducts an inquest under this section shall, not later than the fifth day after the date the inquest is initiated, transfer all information related to the inquest to the justice of the peace of the precinct in which the death occurred for final disposition of the matter.

(c) A justice of the peace who conducts an inquest under this section is not entitled to receive from the commissioners

1 court of the county in which the death occurred any compensation,
2 other than mileage, for conducting the inquest.

3 SECTION 3. Article 49.07(c), Code of Criminal Procedure, is
4 amended by adding Subdivision (3) to read as follows:

5 (3) If a justice of the peace or the county judge
6 serving the county in which the body or body part was found is not
7 available to conduct an inquest, a person required to give notice
8 under this article may ask the justice of the peace of the precinct
9 in which the body or body part was found or the county judge to
10 request a justice of the peace of another county to which this
11 subchapter applies to conduct the inquest. The justice of the peace
12 that conducts the inquest shall, not later than the fifth day after
13 the date the inquest is initiated, transfer all information related
14 to the inquest to the justice of the peace of the precinct in which
15 the body or body part was found for final disposition of the matter.
16 All expenses related to the inquest must be paid as provided by this
17 chapter.

18 SECTION 4. This Act takes effect September 1, 2017.