

## **BILL ANALYSIS**

H.B. 4173  
By: Leach  
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Committee Report (Unamended)

### **BACKGROUND AND PURPOSE**

The Texas Legislative Council is required by law to carry out a nonsubstantive revision of the Texas statutes in an effort to make the statutes more accessible, understandable, and usable without altering the sense, meaning, or effect of the law. H.B. 4173 seeks to provide for the nonsubstantive revision of certain provisions of the Code of Criminal Procedure.

### **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. 4173 provides for the nonsubstantive revision of certain provisions of the Code of Criminal Procedure, including conforming amendments to that and other codes, and is composed of four articles, which are detailed below.

- Article 1 amends the Code of Criminal Procedure to set out certain general provisions for the code and to make nonsubstantive revisions of Articles 6.08 and 6.09 and Chapters 7A, 19, 20, 54, 56, 57, 57A, 57B, 57C, and 57D, respectively, by establishing the following new chapters:
  - Chapter 7B, which governs protective orders;
  - Chapter 19A, which governs grand jury organization;
  - Chapter 20A, which governs grand jury proceedings;
  - Chapter 56A, which provides for the rights of crime victims;
  - Chapter 56B, which governs crime victims' compensation; and
  - Chapter 58, which provides for the confidentiality of identifying information and medical records of certain crime victims.
- Article 2 of the bill amends the following codes to make conforming amendments as necessary to continue other provisions of law without substantive change:
  - Business & Commerce Code;
  - Civil Practice and Remedies Code;
  - Code of Criminal Procedure;
  - Education Code;

- Election Code;
- Family Code;
- Government Code;
- Health and Safety Code;
- Human Resources Code;
- Occupations Code;
- Penal Code;
- Property Code; and
- Tax Code.
- Article 3 of the bill repeals the following provisions of the Code of Criminal Procedure:
  - Article 6.08;
  - Article 6.09;
  - Chapter 7A;
  - Chapter 19;
  - Chapter 20;
  - Chapter 54;
  - Chapter 56;
  - Chapter 57;
  - Chapter 57A;
  - Chapter 57B;
  - Chapter 57C; and
  - Chapter 57D.
- Article 4 of the bill does the following:
  - provides that the bill is intended as a codification only and that no substantive change in the law is intended by the bill;
  - provides for the applicability of the Code Construction Act to the provisions of the Code of Criminal procedure enacted by the bill as part of the continuing statutory revision program;
  - establishes that reference in a law to a statute or a part of a statute in the Code of Criminal Procedure enacted as part of that revision program is considered to be a reference to the part of that code that revises that statute or part of that statute; and
  - establishes the bill's effective date.

**EFFECTIVE DATE**

January 1, 2021.