86R1253 JCG-D

By:  Canales H.B. No. 126

A BILL TO BE ENTITLED

AN ACT

relating to certain time limits on a delay in the state's readiness to proceed with the trial of a criminal case.

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

SECTION 1.  Article 17.151, Code of Criminal Procedure, is amended by adding Section 3 to read as follows:

Sec. 3.  (a)  The court may enter an order extending a period described by Section 1 for an additional period of 30 days if:

(1)  the court determines at a hearing under Subsection (b) that good cause exists for the extension; and

(2)  the defendant is accused of:

(A)  an offense under Section 20A.03, Penal Code; or

(B)  an offense described by Article 42A.054 or 62.001(5).

(b)  On oral or written request by the attorney representing the state, the court shall conduct a hearing to determine whether good cause exists for extending a period described by Section 1.

(c)  The court may grant only two 30-day extensions under this section in connection with the specific offense on which the accusation is based.

SECTION 2.  This Act applies only to a person who is arrested on or after the effective date of this Act, regardless of when the offense giving rise to the arrest was committed. A person who is arrested before the effective date of this Act is governed by the law in effect on the date the person was arrested, and the former law is continued in effect for that purpose.

SECTION 3.  This Act takes effect September 1, 2019.