

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

1 arrested before the effective date of this Act is governed by the
2 law in effect on the date the person was arrested, and the former
3 law is continued in effect for that purpose.

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