

1-1 By: Murr, Lang (Senate Sponsor - Whitmire) H.B. No. 300
 1-2 (In the Senate - Received from the House May 2, 2019;
 1-3 May 3, 2019, read first time and referred to Committee on Criminal
 1-4 Justice; May 15, 2019, reported favorably by the following vote:
 1-5 Yeas 6, Nays 0; May 15, 2019, sent to printer.)

1-6 COMMITTEE VOTE

| | Yea | Nay | Absent | PNV |
|----------------|-----|-----|--------|-----|
| 1-7 Whitmire | X | | | |
| 1-8 Huffman | X | | | |
| 1-9 Buckingham | X | | | |
| 1-10 Flores | X | | | |
| 1-11 Hughes | | | X | |
| 1-12 Miles | X | | | |
| 1-13 Perry | X | | | |

1-15 A BILL TO BE ENTITLED
 1-16 AN ACT

1-17 relating to inquest summary reports and the preservation of
 1-18 evidence collected in the course of an inquest.

1-19 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

1-20 SECTION 1. Article 49.17, Code of Criminal Procedure, is
 1-21 amended to read as follows:

1-22 Art. 49.17. EVIDENCE. A justice of the peace shall preserve
 1-23 all tangible evidence that the justice accumulates in the course of
 1-24 an inquest that tends to show the real cause of death or identify
 1-25 the person who caused the death. The justice shall[+]

1-26 [~~(1)~~] deposit the evidence with the appropriate law
 1-27 enforcement agency to be stored in the agency's property room for
 1-28 safekeeping[~~+ or~~

1-29 [~~(2) deliver the evidence to the district clerk for~~
 1-30 ~~safekeeping subject to the order of the court].~~

1-31 SECTION 2. Article 49.15(d), Code of Criminal Procedure, is
 1-32 repealed.

1-33 SECTION 3. The certified copy of an inquest summary report
 1-34 received and maintained by a district court clerk under Article
 1-35 49.15(d), Code of Criminal Procedure, as it existed immediately
 1-36 before the effective date of this Act, may be destroyed by the clerk
 1-37 in accordance with the district court's records retention schedule.

1-38 SECTION 4. As soon as practicable after the effective date
 1-39 of this Act, each district clerk in possession of evidence
 1-40 delivered to the clerk for safekeeping under Article 49.17, Code of
 1-41 Criminal Procedure, as that article existed immediately before the
 1-42 effective date of this Act, shall transfer the evidence to the
 1-43 appropriate law enforcement agency for safekeeping as provided by
 1-44 Article 49.17, Code of Criminal Procedure, as amended by this Act.

1-45 SECTION 5. This Act takes effect immediately if it receives
 1-46 a vote of two-thirds of all the members elected to each house, as
 1-47 provided by Section 39, Article III, Texas Constitution. If this
 1-48 Act does not receive the vote necessary for immediate effect, this
 1-49 Act takes effect September 1, 2019.

1-50 * * * * *