

BILL ANALYSIS

H.B. 1712
By: Canales
Criminal Jurisprudence
Committee Report (Unamended)

BACKGROUND AND PURPOSE

A court order is an official proclamation by a judge that defines the legal relationship between the parties to a hearing, a trial, an appeal, or other court proceeding. Such an order requires or authorizes the carrying out of certain steps by one or more parties to a case and must be signed by the court judge. In the 84th Regular Session, the legislature enacted H.B. 644, which required a magistrate's name to be written legibly on a search warrant, yet parties still report difficulties in finding the originating courts for some court orders. H.B. 1712 seeks to address this issue by requiring every court order to include the applicable magistrate's full name in legible handwriting, legible typewritten form, or legible stamp print.

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. 1712 amends the Code of Criminal Procedure to require any signed order that pertains to a criminal matter and is issued by a magistrate to include, with the magistrate's signature, the magistrate's name in legible handwriting, legible typewritten form, or legible stamp print. The bill applies to a signed order issued by a magistrate on or after the bill's effective date.

EFFECTIVE DATE

September 1, 2023.