88R6366 JCG-D

By:  Middleton S.B. No. 744

A BILL TO BE ENTITLED

AN ACT

relating to clarifying that a statutory county court judge is authorized to issue a search warrant for access to a cellular telephone or other wireless communications device.

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

SECTION 1.  Article 18.0215(b), Code of Criminal Procedure, is amended to read as follows:

(b)  A warrant under this article may be issued only by a judge, including a statutory county court judge, in the same judicial district as the site of:

(1)  the law enforcement agency that employs the peace officer, if the cellular telephone or other wireless communications device is in the officer's possession; or

(2)  the likely location of the telephone or device.

SECTION 2.  This Act takes effect September 1, 2023.