

## **BILL ANALYSIS**

H.B. 1610  
By: Leach  
Judiciary & Civil Jurisprudence  
Committee Report (Unamended)

### **BACKGROUND AND PURPOSE**

The Texas Legislative Council is required by Section 323.007, Government Code, to carry out a complete nonsubstantive revision of the Texas statutes. The process involves reclassifying and rearranging the statutes in a more logical order, employing a numbering system and format that will accommodate future expansion of the law, eliminating repealed, invalid, duplicative, and other ineffective provisions, correcting drafting errors, and improving the draftsmanship of the law, if practicable—all toward promoting the stated purpose of making the statutes "more accessible, understandable, and usable" without altering the sense, meaning, or effect of the law. In 1965, the council adopted a long-range plan of compiling the law into subject-matter codes. When the program is complete, all general and permanent statutes will be included in one of 27 codes.

H.B. 1610 is the latest in a long-range project by the council to modernize the Code of Criminal Procedure without substantive change. The project for the 89th Texas Legislature revises laws relating to family violence; trade, business, or occupational activities injurious to public health; death inquests; and fire inquests.

H.B. 1610 is a nonsubstantive revision of Texas law. The substance of the law has not been altered. The sole purpose of these provisions is to compile the relevant law, arrange it in a logical fashion, and rewrite it without altering its meaning or legal effect. If a particular source statute is ambiguous and the ambiguity cannot be resolved without a potential substantive effect, the ambiguity is preserved.

### **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. 1610 provides for the nonsubstantive revision of certain provisions of the Code of Criminal Procedure, including conforming amendments to that and other codes, and is composed of four articles, which are detailed below:

- ARTICLE 1 amends the Code of Criminal Procedure to make nonsubstantive revisions by establishing the following new chapters:
  - Chapter 5A—Preventing, Investigating, and Prosecuting Family Violence;
  - Chapter 9A—Trade, Business, or Occupation Injurious to Public Health;
  - Chapter 49A—Death Inquests; and

- Chapter 50A—Fire Inquests;
- ARTICLE 2 amends the Code of Criminal Procedure, Family Code, Government Code, Health and Safety Code, Human Resources Code, Occupations Code, Penal Code, and Transportation Code to make necessary conforming amendments to ensure no substantive change to other laws;
- ARTICLE 3 repeals Chapters 5, 9, 49, and 50, Code of Criminal Procedure; and
- ARTICLE 4 relates to general matters and provides the following:
  - the bill is enacted under Section 43, Article III, Texas Constitution, and is intended as a codification only with no substantive change in the law;
  - the Code Construction Act applies to the construction of each provision in the Code of Criminal Procedure enacted by the bill as part of the continuing statutory revision program; and
  - a reference in a law to a statute or a part of a statute in the Code of Criminal Procedure enacted as part of the continuing statutory revision program is considered to be a reference to the part of that code that revises that statute or part of that statute.

### **EFFECTIVE DATE**

April 1, 2025.