

BILL ANALYSIS

S.B. 715
By: Hall
Criminal Jurisprudence
Committee Report (Unamended)

BACKGROUND AND PURPOSE

Technological innovation, interested parties note, has allowed new avenues by which information can be shared and should be employed to make government operations more responsive. S.B. 715 seeks to apply new technology to the way sworn affidavits for search warrants are processed to allow for more efficiency and speed.

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

S.B. 715 amends the Code of Criminal Procedure to authorize a magistrate, for purposes of issuing a search warrant, to accept a sworn statement that is provided by telephone or other means of wire or electronic communication. The bill requires the magistrate to administer an oath to the person providing the statement and requires the magistrate or the magistrate's designee to electronically record any statement communicated orally and to promptly transcribe and preserve a written copy of the statement. The bill authorizes a magistrate to accept, by facsimile or e-mail or other electronic transmission, other documentation in support of the issuance of a search warrant.

EFFECTIVE DATE

September 1, 2015.