

BILL ANALYSIS

H.B. 1727
By: Faircloth
Criminal Jurisprudence
Committee Report (Unamended)

BACKGROUND AND PURPOSE

Interested parties contend that problems regarding the issuance of certain search warrants can arise when the applicable municipal court of record for a county is actually located in a different county. H.B. 1727 seeks to remedy this situation by revising the circumstances under which such a warrant may be issued by any magistrate in the applicable county.

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. 1727 amends the Code of Criminal Procedure to change one of the circumstances under which any magistrate in a county may issue a search warrant for contraband subject to forfeiture or certain property or items constituting evidence of an offense or constituting evidence tending to show that a particular person committed an offense from the county not having a judge of a municipal court of record who is an attorney licensed by the state to the county not having a municipal court of record with a courtroom located in that county and a judge who is an attorney licensed by the state.

EFFECTIVE DATE

September 1, 2017.