

SUBJECT: Authorizing statutory county court judges to issue certain search warrants

COMMITTEE: Criminal Jurisprudence — committee substitute recommended

VOTE: 8 ayes — Moody, Cook, Bhojani, Bowers, Darby, Harrison, C. Morales, Schatzline

0 nays

1 absent — Leach

WITNESSES: For — (*Registered, but did not testify*: James Parnell, Dallas Police Association; Ray Hunt, HPOU; Shea Place, Texas Criminal Defense Lawyers Association; John Wilkerson, Texas Municipal Police Association; Cicely Kay, Travis County Commissioners Court; Richard Bohnert)

Against — None

BACKGROUND: Some have suggested that current law should be clarified to authorize statutory county court judges to issue subsequent search warrants or warrants for cell phone or other wireless communication devices.

DIGEST: CSHB 779 would add a judge of a statutory county court on the list of judges authorized to issue subsequent search warrants and search warrants for cell phones or other wireless communication devices.

The bill would take effect September 1, 2023, and would apply only to a search warrant issued on or after the effective date of the bill.