

## **BILL ANALYSIS**

Senate Research Center

S.B. 857  
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Jurisprudence  
3-20-97  
As Filed

### **DIGEST**

Currently, an application for a subpoena in certain cases is required to be in writing. This bill will authorize the application to be made by electronic means.

### **PURPOSE**

As proposed, S.B. 857 authorizes an application for a subpoena in certain cases to be made by electronic means.

### **RULEMAKING AUTHORITY**

This bill does not grant any additional rulemaking authority to a state officer, institution, or agency.

### **SECTION BY SECTION ANALYSIS**

SECTION 1. Amends Article 24.03(a), Code of Criminal Procedure, to require a defendant or the State's attorney to make a sworn application in writing or by electronic means to the clerk of the court before the clerk or his deputy shall be required or permitted to issue a subpoena in any felony case pending in any district or criminal district court of this state. Makes a conforming and nonsubstantive change.

SECTION 2. Emergency clause.  
Effective date: upon passage.