

BILL ANALYSIS

Senate Research Center
76R769 GWK-D

S.B. 1189
By: Luna
Criminal Justice
4/12/1999
As Filed

DIGEST

Currently, the Code of Criminal Procedure authorizes a defendant to waive a trial by jury. S.B. 1189 authorizes the waiver with the consent and approval of the attorney representing the state if the offense is a felony.

PURPOSE

As proposed, S.B. 1189 adds conditions to a waiver of a trial to jury.

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 1.13(a), Code of Criminal Procedure, to add a provision that permits a defendant to waive a right to trial by jury if the offense is a felony, but not a capital offense, and the attorney representing the state consents and approves.

SECTION 2. Makes application of this Act prospective.

SECTION 3. Effective date: September 1, 1999.

SECTION 4. Emergency clause.