

BILL ANALYSIS

Senate Research Center
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S.B. 1427
By: Truan
Criminal Justice
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DIGEST AND PURPOSE

Under current Texas law, marihuana possession or delivery cases arising in one county may be prosecuted with the consent of the defendant in an adjacent county in the same judicial district. As proposed, S.B. 1427 authorizes all controlled substance possession and delivery cases arising in one county to be prosecuted with the consent of the defendant in an adjacent county in the same judicial district.

RULEMAKING AUTHORITY

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

SECTION BY SECTION ANALYSIS

SECTION 1. Amends Article 13.22, Code of Criminal Procedure, as follows:

Art. 13.22. New heading: POSSESSION AND DELIVERY OF CONTROLLED SUBSTANCE. Authorizes an offense under Chapter 481, Health and Safety Code, of possession or delivery of a controlled substance, rather than marihuana, to be prosecuted in the county where the offense was committed or with consent of the defendant in a county that is adjacent to and in the same judicial district as the county where the offense was committed.

SECTION 2. Effective date: September 1, 2001.
Makes application of this Act prospective.