

BILL ANALYSIS

Senate Research Center
86R23147 TSS-D

H.B. 300
By: Murr; Lang (Whitmire)
Criminal Justice
5/12/2019
Engrossed

AUTHOR'S / SPONSOR'S STATEMENT OF INTENT

H.B. 300 amends current law relating to inquest summary reports and the preservation of evidence collected in the course of an inquest.

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 49.17, Code of Criminal Procedure, to delete existing text requiring a justice of the peace to deliver tangible evidence accumulated in the course of an inquest to the district clerk for safekeeping subject to the order of the court and to make nonsubstantive changes to this section.

SECTION 2. Repealer: Article 49.15(d) (relating to requiring the justice of the peace and the clerk of the district court to take certain actions regarding a inquest summary report), Code of Criminal Procedure.

SECTION 3. Authorizes the certified copy of an inquest summary report received and maintained by a district court clerk under Article 49.15(d), Code of Criminal Procedure, as it existed immediately before the effective date of this Act, to be destroyed by the clerk in accordance with the district court's records retention schedule.

SECTION 4. Requires each district clerk in possession of evidence delivered to the clerk for safekeeping under Article 49.17 (Evidence), Code of Criminal Procedure, as that article existed immediately before the effective date of this Act, as soon as practicable after the effective date of this Act, to transfer the evidence to the appropriate law enforcement agency for safekeeping as provided by Article 49.17, Code of Criminal Procedure, as amended by this Act.

SECTION 5. Effective date: upon passage or September 1, 2019.