

BILL ANALYSIS

Senate Research Center
86R1058 JCG-D

H.B. 93
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State Affairs
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Engrossed

AUTHOR'S / SPONSOR'S STATEMENT OF INTENT

It has been suggested that some parties in court proceedings are encountering difficulties in determining the originating court and applicable magistrate when reading court orders, despite recent efforts to combat these difficulties. H.B. 93 seeks to address this issue by requiring every court order to include, along with the magistrate's signature, the magistrate's name in a certain legible form.

As proposed, H.B. 93 amends the Code of Criminal Procedure to require any signed order issued by a magistrate under that code or any signed order pertaining to a criminal matter that is issued by a magistrate under other state law to include:

- the magistrate's signature; and
- the magistrate's name in legible handwriting, legible typewritten form, or legible stamp print.

H.B. 93 amends current law relating to the inclusion of a magistrate's name on certain signed orders.

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 Chapter 2, Code of Criminal Procedure, by adding Article 2.101, as follows:

Art. 2.101. MAGISTRATE'S NAME ON SIGNED ORDER. Requires any signed order that is issued by a magistrate under this code or any signed order pertaining to a criminal matter that is issued by a magistrate under the Family Code, the Government Code, or other law of this state to include, with the magistrate's signature, the magistrate's name in legible handwriting, legible typewritten form, or legible stamp print.

SECTION 2. Makes application of this Act prospective.

SECTION 3. Effective date: September 1, 2019.