

BILL ANALYSIS

H.B. 1575
By: Wilson
Criminal Jurisprudence
Committee Report (Unamended)

BACKGROUND AND PURPOSE

Interested parties express concern that a person whose property has been stolen might have to travel across the state to attend a hearing to recover the person's property. The goal of H.B. 1575 is to allow such a hearing to be held in a more appropriate location.

CRIMINAL JUSTICE IMPACT

It is the committee's opinion that this bill does not expressly create a criminal offense, increase the punishment for an existing criminal offense or category of offenses, or change the eligibility of a person for community supervision, parole, or mandatory supervision.

RULEMAKING AUTHORITY

It is the committee's opinion that this bill does not expressly grant any additional rulemaking authority to a state officer, department, agency, or institution.

ANALYSIS

H.B. 1575 amends the Code of Criminal Procedure to include certain magistrates in the county or municipality in which property is alleged to have been stolen among the magistrates authorized to hold a hearing to determine the right to possession of the property if a criminal trial relating to the property is not pending and to designate an applicable court in such a county or municipality as venue for such a hearing. The bill includes a magistrate in the county in which property is alleged to have been stolen among the magistrates authorized to hold a hearing to determine the right to possession of stolen property involved in a criminal case and adds as a condition on a magistrate's authority to hold such a hearing that the hearing take place following an order by the court trying the applicable criminal case restoring the property to the owner.

EFFECTIVE DATE

September 1, 2017.