

## **BILL ANALYSIS**

Senate Research Center  
78R2362KCR-F

H.B. 559  
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Criminal Justice  
5/22/2003  
Engrossed

### **DIGEST AND PURPOSE**

Under current statute a magistrate may dispose of certain property if it falls into one of the currently listed categories. The magistrate may not dispose of property in a category not listed in current statute. H.B. 559 expands the list of property which a magistrate may dispose of to include "obscene device or material."

### **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 Articles 18.18(f) and (g), Code of Criminal Procedure, as follows:

- (f) Adds an obscene device or material to the list of items a magistrate is required to dispose of.
- (g) Redefines "obscene device" and "obscene."

SECTION 2. Effective date: upon passage or September 1, 2003.  
Makes application of this Act prospective.