

BILL ANALYSIS

H.B. 1386
By: Raymond
Criminal Jurisprudence
Committee Report (Unamended)

BACKGROUND AND PURPOSE

Interested parties contend that current law contains an outdated prohibition against the representation of a municipal court defendant by more than one lawyer. These parties argue that the law should be updated to reflect the common court practice whereby a defendant is represented by a team of attorneys working in consultation with one another. Given that all defendants should be entitled to secure the best representation available, the parties raise concerns about placing such an arbitrary restriction on the rights of defendants. H.B. 1386 seeks to remedy this situation.

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. 1386 amends the Code of Criminal Procedure to remove the prohibition against more than one counsel conducting either the prosecution or defense in a criminal proceeding before a justice or municipal court.

EFFECTIVE DATE

September 1, 2015.