

BILL ANALYSIS

H.B. 3237
By: Moody
Criminal Jurisprudence
Committee Report (Unamended)

BACKGROUND AND PURPOSE

Interested parties contend that the owner of property subject to an issued search warrant may become aware of the impending search due to the public availability of the sworn affidavit establishing probable cause for the warrant that is filed before the warrant is executed. H.B. 3237 seeks to address this issue by changing the time at which such a sworn affidavit becomes public information.

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. 3237 amends the Code of Criminal Procedure to change the time at which a sworn affidavit setting forth substantial facts establishing probable cause for a search warrant becomes public information from the time at which the affidavit is executed to the time at which the search warrant for which the affidavit was presented is executed.

EFFECTIVE DATE

On passage, or, if the bill does not receive the necessary vote, September 1, 2017.