

BILL ANALYSIS

Senate Research Center

S.B. 24
By: Ratliff
Jurisprudence
4-18-97
As Filed

DIGEST

Currently, certain provisions relating to the terms of the 5th, 102nd, and 202nd District Courts in Bowie County require that criminal cases be dismissed, unless good cause is shown, if the indictment is not presented against the defendant at the next term of court. This requirement may cause the defense and plaintiff attorneys to perform a function in the court that is a matter of formal procedure. This bill extends the term of court to every 6 months for the 5th, 102nd, and 202nd District Courts in Bowie County so that the formalities of the criminal defense attorney filing a motion to dismiss and the district attorney filing a response showing good cause are no longer necessary.

PURPOSE

As proposed, S.B. 24 extends the term of court to every 6 months for the 5th, 102nd, and 202nd District Courts in Bowie County so that the formalities of the criminal defense attorney filing a motion to dismiss and the district attorney filing a response showing good cause are no longer necessary.

RULEMAKING AUTHORITY

This bill does not grant any additional rulemaking authority to a state officer, institution, or agency.

SECTION BY SECTION ANALYSIS

SECTION 1. Amends Section 24.105(d), Government Code, to provide that the terms of the 5th District Court begin in Bowie County on the first Mondays in January and July, rather than April and October.

SECTION 2. Amends Section 24.204(b), Government Code, to provide that the terms of the 102nd District Court begin in Bowie County on the first Mondays in January and July, rather than April and October.

SECTION 3. Amends Section 24.381, Government Code, to provide that the terms of the 202nd District Court begin on the first Mondays in January and July, rather than April and October.

SECTION 4. Effective date: September 1, 1997.

SECTION 5. Emergency clause.