

BILL ANALYSIS

Senate Research Center
84R1843 RWG-F

H.B. 1774
By: Lucio III (Lucio)
Criminal Justice
5/20/2015
Engrossed

AUTHOR'S / SPONSOR'S STATEMENT OF INTENT

H.B. 1774 amends current law relating to the jurisdiction and powers of and the referral of certain proceedings to a criminal law hearing officer in Cameron County.

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 Section 54.1356(a), Government Code, as follows:

(a) Provides that the jurisdiction of the criminal law hearing officer is limited to, among other duties set forth, presiding over an extradition proceeding under Article 51.13 (Uniform Criminal Extradition Act), Code of Criminal Procedure. Makes nonsubstantive changes.

SECTION 2. Amends Section 54.1358, Government Code, by adding Subsections (f) and (g), as follows:

(f) Authorizes a criminal law hearing officer, in accordance with Article 26.13 (Plea of Guilty), Code of Criminal Procedure, to accept a plea of guilty or nolo contendere.

(g) Authorizes a criminal law hearing officer to determine whether a defendant is indigent and appoint counsel for an indigent defendant.

SECTION 3. Amends Subchapter BB, Chapter 54, Government Code, by adding Section 54.1362, as follows:

Sec. 54.1362. **PROCEEDINGS THAT MAY BE REFERRED.** Authorizes a district judge or a county court at law judge to refer to a criminal law hearing officer any criminal case for proceedings involving:

- (1) a bond forfeiture;
- (2) the arraignment of defendants;
- (3) the determination of whether a defendant is indigent and the appointment of counsel for an indigent defendant; and
- (4) a negotiated plea of guilty or nolo contendere before the court, in accordance with Article 26.13, Code of Criminal Procedure.

SECTION 4. Effective date: September 1, 2015.