

BILL ANALYSIS

Senate Research Center
87R688 ADM-D

H.B. 1127
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Criminal Justice
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Engrossed

AUTHOR'S / SPONSOR'S STATEMENT OF INTENT

With increasing access to the Internet and technology, most court services can be provided online. District attorney offices have highlighted that certain services should be fully accessible electronically, including serving a copy of an application for a writ of habeas corpus. Under the current law, applications for a writ of habeas corpus in a community supervision case must be served to the state's attorney by either certified mail or through personal service, without the option to file online. It has been suggested that electronic services may serve as a more efficient option for all parties. H.B. 1127 seeks to address this issue by providing for the option to serve a copy of an application for a writ of habeas corpus through a secure electronic transmission.

H.B. 1127 amends current law relating to an application for a writ of habeas corpus in a community supervision case.

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 5(a), Article 11.072, Code of Criminal Procedure, as follows:

- (a) Requires an applicant, immediately on filing an application for a writ of habeas corpus, to serve a copy of the application on the attorney representing the state by certain methods, including by secure electronic mail or another form of secure electronic transmission. Makes nonsubstantive changes.

SECTION 2. Makes application of this Act prospective.

SECTION 3. Effective date: September 1, 2021.