

1-1 By: Geren (Senate Sponsor - Nelson) H.B. No. 1266
 1-2 (In the Senate - Received from the House May 1, 2017;
 1-3 May 4, 2017, read first time and referred to Committee on Criminal
 1-4 Justice; May 19, 2017, reported favorably by the following vote:
 1-5 Yeas 7, Nays 0; May 19, 2017, sent to printer.)

1-6 COMMITTEE VOTE

	Yea	Nay	Absent	PNV
1-7				
1-8	X			
1-9			X	
1-10			X	
1-11	X			
1-12	X			
1-13	X			
1-14	X			
1-15	X			
1-16	X			

1-17 A BILL TO BE ENTITLED
 1-18 AN ACT

1-19 relating to notice for hearings and trial settings in criminal
 1-20 cases.

1-21 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

1-22 SECTION 1. Chapter 29, Code of Criminal Procedure, is
 1-23 amended by adding Article 29.035 to read as follows:

1-24 Art. 29.035. FOR INSUFFICIENT NOTICE OF HEARING OR TRIAL.

1-25 (a) Notwithstanding Article 28.01 or any other provision of this
 1-26 chapter, and except as otherwise provided by this article, a trial
 1-27 court shall grant a continuance of a criminal action on oral or
 1-28 written motion of the state or the defendant if the trial court sets
 1-29 a hearing or trial without providing to the attorney for the state
 1-30 and the defendant, or the defendant's attorney, notice of the
 1-31 hearing or trial at least three business days before the date of the
 1-32 hearing or trial.

1-33 (b) This article does not apply during the period between:

1-34 (1) the date the trial begins; and

1-35 (2) the date the judgment is entered.

1-36 SECTION 2. Article 29.035, Code of Criminal Procedure, as
 1-37 added by this Act, applies to a criminal action pending before a
 1-38 trial court on or after the effective date of this Act, regardless
 1-39 of whether the offense that is the subject of the action was
 1-40 committed before, on, or after the effective date of this Act.

1-41 SECTION 3. This Act takes effect September 1, 2017.

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