

1-1 By: Hughes S.B. No. 1210
 1-2 (In the Senate - Filed February 10, 2025;
 1-3 February 28, 2025, read first time and referred to Committee on
 1-4 State Affairs; March 26, 2025, reported favorably by the following
 1-5 vote: Yeas 10, Nays 0; March 26, 2025, sent to printer.)

1-6 COMMITTEE VOTE

	Yea	Nay	Absent	PNV
1-7 Hughes	X			
1-8 Paxton	X			
1-9 Bettencourt	X			
1-10 Birdwell	X			
1-11 Hall	X			
1-12 Hinojosa of Nueces	X			
1-13 Middleton	X			
1-14 Parker	X			
1-15 Perry			X	
1-16 Schwertner	X			
1-17 Zaffirini	X			

1-19 A BILL TO BE ENTITLED
 1-20 AN ACT

1-21 relating to the jurisdiction of the Texas Supreme Court and the
 1-22 Court of Criminal Appeals.

1-23 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

1-24 SECTION 1. Article 4.01, Code of Criminal Procedure, is
 1-25 amended to read as follows:

1-26 Art. 4.01. WHAT COURTS HAVE CRIMINAL JURISDICTION. The
 1-27 following courts have jurisdiction in criminal actions:

1-28 1. The Court of Criminal Appeals;
 1-29 2. The Texas Supreme Court in a conflict described by
 1-30 Section 22.001(a-1), Government Code;

1-31 3. Courts of appeals, other than the Court of Appeals
 1-32 for the Fifteenth Court of Appeals District;

1-33 4. ~~[3.]~~ The district courts;

1-34 5. ~~[4.]~~ The criminal district courts;

1-35 6. ~~[5.]~~ The magistrates appointed by the judges of the
 1-36 district courts of Bexar County, Dallas County, Tarrant County, or
 1-37 Travis County that give preference to criminal cases and the
 1-38 magistrates appointed by the judges of the criminal district courts
 1-39 of Dallas County or Tarrant County;

1-40 7. ~~[6.]~~ The county courts;

1-41 8. ~~[7.]~~ All county courts at law with criminal
 1-42 jurisdiction;

1-43 9. ~~[8.]~~ County criminal courts;

1-44 10. ~~[9.]~~ Justice courts;

1-45 11. ~~[10.]~~ Municipal courts;

1-46 12. ~~[11.]~~ The magistrates appointed by the judges of
 1-47 the district courts of Lubbock County;

1-48 13. ~~[12.]~~ The magistrates appointed by the El Paso
 1-49 Council of Judges;

1-50 14. ~~[13.]~~ The magistrates appointed by the Collin
 1-51 County Commissioners Court;

1-52 15. ~~[14.]~~ The magistrates appointed by the Brazoria
 1-53 County Commissioners Court or the local administrative judge for
 1-54 Brazoria County;

1-55 16. ~~[15.]~~ The magistrates appointed by the judges of
 1-56 the district courts of Tom Green County;

1-57 17. ~~[16.]~~ The magistrates appointed by the judges of
 1-58 the district and statutory county courts of Denton County; and

1-59 18. ~~[17.]~~ The magistrates appointed by the judges of
 1-60 the district and statutory county courts of Grayson County.

1-61 SECTION 2. Article 4.04, Code of Criminal Procedure, is

2-1 amended to read as follows:

2-2 Art. 4.04. COURT OF CRIMINAL APPEALS

2-3 Sec. 1. The Court of Criminal Appeals and each judge thereof
2-4 shall have, and is hereby given, the power and authority to grant
2-5 and issue and cause the issuance of writs of habeas corpus, and, in
2-6 criminal law matters, other writs, including the writs of mandamus,
2-7 procedendo, prohibition, and certiorari, [~~The court and each~~
2-8 ~~judge thereof shall have, and is hereby given, the power and~~
2-9 ~~authority to grant and issue and cause the issuance of such other~~
2-10 ~~writs] as may be necessary to protect its jurisdiction or enforce
2-11 its judgments.~~

2-12 Sec. 2. Except as provided by Section 22.001(a-1),
2-13 Government Code, the [The] Court of Criminal Appeals shall have,
2-14 and is hereby given, final appellate and review jurisdiction in
2-15 criminal cases coextensive with the limits of the state, and its
2-16 determinations shall be final. The appeal of all cases in which the
2-17 death penalty has been assessed shall be to the Court of Criminal
2-18 Appeals. In addition, the Court of Criminal Appeals may[~~r~~] on [~~its~~
2-19 ~~own motion, with or without~~] a petition for such discretionary
2-20 review being filed by one of the parties, review any decision of a
2-21 court of appeals in a criminal case other than a conflict described
2-22 by Section 22.001(a-1), Government Code. Discretionary review by
2-23 the Court of Criminal Appeals is not a matter of right, but of sound
2-24 judicial discretion.

2-25 SECTION 3. Section 22.001, Government Code, is amended by
2-26 amending Subsections (a) and (b) and adding Subsection (a-1) to
2-27 read as follows:

2-28 (a) The supreme court has appellate jurisdiction, except in
2-29 criminal law matters other than a conflict described by Subsection
2-30 (a-1), of an appealable order or judgment of the trial courts if the
2-31 court determines that the appeal presents a question of law that is
2-32 important to the jurisprudence of the state.

2-33 (a-1) The supreme court has appellate jurisdiction to
2-34 finally resolve a conflict between the supreme court and the court
2-35 of criminal appeals regarding the interpretation of a provision of
2-36 the Texas Constitution on:

2-37 (1) submission of a writ of certiorari to the supreme
2-38 court by a party to any proceeding in any court of this state; or

2-39 (2) certification of a question of law from any
2-40 federal court [The supreme court's jurisdiction does not include
2-41 cases in which the jurisdiction of the court of appeals is made
2-42 final by statute].

2-43 (b) Except as provided by Subsection (a-1), a [A] case over
2-44 which the court has jurisdiction under Subsection (a) may be
2-45 carried to the supreme court by petition for review.

2-46 SECTION 4. It is the intent of the legislature that:

2-47 (1) the jurisdiction of the Texas Supreme Court as
2-48 amended by this Act is "as otherwise provided . . . by law" within
2-49 the meaning of Section 3(a), Article V, Texas Constitution; and

2-50 (2) the jurisdiction of the Court of Criminal Appeals
2-51 as amended by this Act is "with such exceptions and under such
2-52 regulations . . . as prescribed by law" within the meaning of
2-53 Section 5(a), Article V, Texas Constitution.

2-54 SECTION 5. The changes in law made by this Act apply to any
2-55 matter described by Section 22.001(a-1), Government Code, as added
2-56 by this Act, pending before any court of this state on or after the
2-57 effective date of this Act.

2-58 SECTION 6. This Act takes effect immediately if it receives
2-59 a vote of two-thirds of all the members elected to each house, as
2-60 provided by Section 39, Article III, Texas Constitution. If this
2-61 Act does not receive the vote necessary for immediate effect, this
2-62 Act takes effect September 1, 2025.

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