

By: Lucio III, J. Johnson of Harris

H.B. No. 1002

A BILL TO BE ENTITLED

AN ACT

1
2 relating to the use of hypnotically induced testimony in a criminal
3 trial.

4 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

5 SECTION 1. Chapter 38, Code of Criminal Procedure, is
6 amended by adding Article 38.24 to read as follows:

7 Art. 38.24. TESTIMONY OBTAINED BY HYPNOSIS. The testimony
8 of a person obtained by hypnotizing the person is not admissible
9 against a defendant in a criminal trial, whether offered in the
10 guilt or innocence phase or the punishment phase of the trial.

11 SECTION 2. The change in law made by this Act applies to the
12 admissibility of evidence in a criminal proceeding that commences
13 on or after the effective date of this Act. The admissibility of
14 evidence in a criminal proceeding that commences before the
15 effective date of this Act is governed by the law in effect on the
16 date the proceeding commenced, and the former law is continued in
17 effect for that purpose.

18 SECTION 3. This Act takes effect September 1, 2021.