

By: Lucio III

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.