

By: Herrero

H.B. No. 3817

A BILL TO BE ENTITLED

AN ACT

relating to a court requiring a defendant confined in a penal institution to appear by videoconference in a criminal case.

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

SECTION 1. Chapter 1, Code of Criminal Procedure, is amended by adding Article 1.027 to read as follows:

Art. 1.027. PRESENCE BY VIDEOCONFERENCE. Notwithstanding any other provision of this code, a court may require a defendant without the defendant's consent to appear, for any proceeding related to the prosecution of a criminal offense, by videoconference in the manner described by Article 27.18 if the defendant is confined in a penal institution at the time of the proceeding.

SECTION 2. The change in law made by this Act applies only to a criminal proceeding that commences on or after the effective date of this Act. A criminal proceeding that commenced before the effective date of this Act is governed by the law in effect on the date the proceeding commenced, and the former law is continued in effect for that purpose.

SECTION 3. This Act takes effect September 1, 2023.