

Amend CSHB 2703 by adding appropriately numbered SECTIONS to read as follows and by renumbering existing SECTIONS accordingly:

SECTION _____. Chapter 64, Code of Criminal Procedure, is amended by adding Article 64.06 to read as follows:

Art. 64.06. MANDATORY RETESTING. Notwithstanding any other provision of this chapter, and regardless of whether a person previously has filed a motion for forensic DNA testing under this chapter, the convicting court shall order forensic DNA retesting of evidence in the person's case that contains biological material previously tested in a laboratory that was not accredited by the Department of Public Safety under Section 411.0205, Government Code. The convicting court shall order the forensic DNA retesting to be performed at an accredited laboratory.

SECTION _____. Chapter 11, Code of Criminal Procedure, is amended by adding Article 11.073 to read as follows:

Art. 11.073. SUBSEQUENT APPLICATIONS. For the purposes of Section 4, Article 11.07, and Section 5, Article 11.071, an application that alleges specific facts establishing that forensic evidence in the applicant's criminal case was tested in a laboratory that was not accredited by the Department of Public Safety under Section 411.0205, Government Code, establishes a claim or issue that has not been and could not have been presented previously in a timely initial application or in a previously considered application.