

BILL ANALYSIS

S.B. 1306
By: Bivins
Criminal Jurisprudence
Committee Report (Unamended)

BACKGROUND AND PURPOSE

Currently, a defendant is allowed to submit a plea or a waiver of his rights through broadcast by closed circuit video teleconferencing. Senate Bill 1306 authorizes the extension of this provision to a defendant confined in a county other than the county in which charges are pending.

RULEMAKING AUTHORITY

It is the committee's opinion that this bill does not expressly grant any additional rulemaking authority to a state officer, department, agency, or institution.

ANALYSIS

Senate Bill 1306 amends the Code of Criminal Procedure to authorize a defendant who is confined in a county other than the county in which charges against the defendant are pending to use the teleconferencing method to enter a plea or waive a right in the court with jurisdiction over the case.

A defendant who enters a plea or waiver consents to venue in the county in which the court receiving the plea or waiver is located and waives any claim of error related to venue.

The bill authorizes the attorney representing the state to request at the time the plea is entered that the defendant submit a fingerprint of the defendant suitable for attachment to the judgment, if a defendant enters a plea of guilty or nolo contendere.

EFFECTIVE DATE

September 1, 2003.