By: Lewis, Hupp H.B. No. 2625

Substitute the following for H.B. No. 2625:

By: Keel C.S.H.B. No. 2625

A BILL TO BE ENTITLED

AN ACT

relating to requiring the corroboration of certain testimony in a criminal case involving controlled substances.

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

SECTION 1. Article 38.141, Code of Criminal Procedure, is amended to read as follows:

Art. 38.141. TESTIMONY RELATING TO COVERT LAW ENFORCEMENT ACTIVITY [~~OF UNDERCOVER PEACE OFFICER OR SPECIAL INVESTIGATOR~~]. (a) A defendant may not be convicted of an offense under Chapter 481, Health and Safety Code, on the testimony of a person who is a party to a transaction and is [~~not a licensed peace officer or a special investigator but who is~~] acting covertly on behalf of a law enforcement agency or under the color of law enforcement unless the testimony is corroborated by other evidence tending to connect the defendant with the offense committed.

(b) Corroboration is not sufficient for the purposes of this article if the corroboration only shows the commission of the offense.

[~~(c) In this article, "peace officer" means a person listed in Article 2.12, and "special investigator" means a person listed in Article 2.122.~~]

SECTION 2. This Act takes effect September 1, 2003, and applies to any case in which a judgment has not been entered before the effective date of this Act. A case in which a judgment has been

entered before the effective date of this Act is covered by the law in effect when the judgment is entered, and the former law is continued in effect for that purpose.