

By: Lewis

H.B. No. 2625

A BILL TO BE ENTITLED

AN ACT

1  
2 relating to requiring the corroboration of certain testimony in a  
3 criminal case involving controlled substances.

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

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

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

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

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

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

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