

By: Hinojosa

S.B. No. 384

A BILL TO BE ENTITLED

AN ACT

relating to a defense to prosecution for the offenses of perjury and aggravated perjury in certain circumstances.

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

SECTION 1. Chapter 37, Penal Code, is amended by adding Section 37.051 to read as follows:

Sec. 37.051. ASSERTION OF INNOCENCE. It is a defense to prosecution under Section 37.02 (Perjury) and Section 37.03 (Aggravated Perjury) that the alleged false statement is a statement:

(1) asserting the actor's innocence of a criminal charge; or

(2) denying the grounds for revocation of the actor's bail, community supervision, parole, or mandatory supervision.

SECTION 2. (a) This Act takes effect September 1, 2003.

(b) The change in law made by this Act applies only to the prosecution of an offense committed on or after September 1, 2003. The prosecution of an offense committed before September 1, 2003, is covered by the law in effect when the offense was committed, and the former law is continued in effect for that purpose.