

BILL ANALYSIS

S.B. 1507
By: Hinojosa
Criminal Jurisprudence
Committee Report (Unamended)

BACKGROUND AND PURPOSE

In the punishment phase of a capital case, the state often offers evidence of the defendant's bad acts, or "extraneous conduct." Normally, the state gives the defendant a notice of the extraneous conduct that will be presented in court as evidence.

S.B. 1507 formalizes the notice that is given to a defendant by providing that the introduction of evidence of extraneous conduct is governed by specific notice requirements in Article 37.07, Code of Criminal Procedure.

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

SECTION 1. Amends Section 2(a)(1), Article 37.071, Code of Criminal Procedure, to provide that the introduction of evidence of extraneous conduct is governed by the notice requirements of Section 3(g), Article 37.07.

SECTION 2. Makes application of this Act prospective.

SECTION 3. Effective date: September 1, 2005.

EFFECTIVE DATE

September 1, 2005.