

By: McClendon

H.J.R. No. 24

A JOINT RESOLUTION

1 proposing a constitutional amendment establishing a moratorium in  
2 death penalty cases in which analyses performed by a crime  
3 laboratory operated by the City of Houston Police Department were  
4 admitted into evidence.

5 BE IT RESOLVED BY THE LEGISLATURE OF THE STATE OF TEXAS:

6 SECTION 1. Section 11, Article IV, Texas Constitution, is  
7 amended by adding Subsection (c) to read as follows:

8 (c) Except as otherwise provided by this subsection, a  
9 person convicted of a capital offense and sentenced to death may not  
10 be executed if at the trial of the offense evidence was admitted  
11 that was analyzed by a forensic laboratory operated by the City of  
12 Houston Police Department. The 80th Legislature or a subsequent  
13 legislature may enact a statute that ends the moratorium on  
14 executions established by this subsection.

15 SECTION 2. This proposed constitutional amendment shall be  
16 submitted to the voters at an election to be held on November 8,  
17 2005. The ballot shall be printed to permit voting for or against  
18 the proposition: "The constitutional amendment providing that a  
19 moratorium be established barring executions in certain death  
20 penalty cases involving evidence analyzed by a City of Houston  
21 Police Department laboratory."