

By: Seliger

S.B. No. 395

A BILL TO BE ENTITLED

AN ACT

1
2 relating to the submission of certain pleas and waivers by closed
3 circuit video teleconferencing.

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

5 SECTION 1. Article 27.18, Code of Criminal Procedure, is
6 amended by adding Subsections (d), (e), and (f) to read as follows:

7 (d) A defendant who is confined in a county other than the
8 county in which charges against the defendant are pending may use
9 the teleconferencing method provided by this article to enter a
10 plea or waive a right in the court with jurisdiction over the case.

11 (e) A defendant who enters a plea or waiver under Subsection
12 (d):

13 (1) consents to venue in the county in which the court
14 receiving the plea or waiver is located; and

15 (2) waives any claim of error related to venue.

16 (f) If a defendant enters a plea of guilty or nolo
17 contendere under Subsection (d), the attorney representing the
18 state may request at the time the plea is entered that the defendant
19 submit a fingerprint of the defendant suitable for attachment to
20 the judgment. On request for a fingerprint under this subsection,
21 the county in which the defendant is confined shall obtain a
22 fingerprint of the defendant and use first-class mail or other
23 means acceptable to the attorney representing the state and the
24 county to forward the fingerprint to the court accepting the plea.

1 SECTION 2. This Act applies to any proceeding pending
2 before a court on or after September 1, 2005.

3 SECTION 3. This Act takes effect September 1, 2005.