

1-1 By: Seliger S.B. No. 395
1-2 (In the Senate - Filed February 8, 2005; February 15, 2005,
1-3 read first time and referred to Committee on Criminal Justice;
1-4 April 29, 2005, reported favorably by the following vote: Yeas 7,
1-5 Nays 0; April 29, 2005, sent to printer.)

1-6 A BILL TO BE ENTITLED
1-7 AN ACT

1-8 relating to the submission of certain pleas and waivers by closed
1-9 circuit video teleconferencing.

1-10 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

1-11 SECTION 1. Article 27.18, Code of Criminal Procedure, is
1-12 amended by adding Subsections (d), (e), and (f) to read as follows:

1-13 (d) A defendant who is confined in a county other than the
1-14 county in which charges against the defendant are pending may use
1-15 the teleconferencing method provided by this article to enter a
1-16 plea or waive a right in the court with jurisdiction over the case.

1-17 (e) A defendant who enters a plea or waiver under Subsection
1-18 (d):

1-19 (1) consents to venue in the county in which the court
1-20 receiving the plea or waiver is located; and

1-21 (2) waives any claim of error related to venue.

1-22 (f) If a defendant enters a plea of guilty or nolo
1-23 contendere under Subsection (d), the attorney representing the
1-24 state may request at the time the plea is entered that the defendant
1-25 submit a fingerprint of the defendant suitable for attachment to
1-26 the judgment. On request for a fingerprint under this subsection,
1-27 the county in which the defendant is confined shall obtain a
1-28 fingerprint of the defendant and use first-class mail or other
1-29 means acceptable to the attorney representing the state and the
1-30 county to forward the fingerprint to the court accepting the plea.

1-31 SECTION 2. This Act applies to any proceeding pending
1-32 before a court on or after September 1, 2005.

1-33 SECTION 3. This Act takes effect September 1, 2005.

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