

By: King of Parker

H.B. No. 628

A BILL TO BE ENTITLED

AN ACT

1
2 relating to the courtroom access of certain witnesses during a
3 criminal proceeding.

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

5 SECTION 1. Article 36.03, Code of Criminal Procedure, is
6 amended by adding Subsection (f) to read as follows:

7 (f) Notwithstanding Rule 614, Texas Rules of Evidence, a
8 court may not place under rule a witness who is designated by the
9 prosecuting attorney as the lead investigator in the investigation
10 of the case. A witness described by this subsection may sit at the
11 same table as the prosecuting attorney.

12 SECTION 2. Under the terms of Section 22.109(b),
13 Government Code, Rule 614, Texas Rules of Evidence, is disapproved
14 to the extent that Rule 614 permits the exclusion of a witness who
15 is designated by the prosecuting attorney as the lead investigator
16 in the investigation of a case from hearing the testimony of other
17 witnesses in the case.

18 SECTION 3. The change in law made by this Act applies to a
19 criminal proceeding that commences on or after the effective date
20 of this Act. A criminal proceeding that commences before the
21 effective date of this Act is covered by the law in effect when the
22 proceeding commenced, and the former law is continued in effect for
23 that purpose.

24 SECTION 4. This Act takes effect September 1, 2007.