

By: Gallego

H.B. No. 1161

A BILL TO BE ENTITLED

AN ACT

1  
2 relating to jury instructions regarding the insanity defense in a  
3 criminal case.

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

5 SECTION 1. Article 46C.154, Code of Criminal Procedure, is  
6 amended to read as follows:

7 Art. 46C.154. INFORMING JURY REGARDING CONSEQUENCES OF  
8 ACQUITTAL. The court may instruct the jury on [~~the attorney~~  
9 ~~representing the state, or the attorney for the defendant may not~~  
10 ~~inform a juror or a prospective juror of~~] the consequences to the  
11 defendant if a verdict of not guilty by reason of insanity is  
12 returned.

13 SECTION 2. The change in law made by this Act applies only  
14 to an offense committed on or after the effective date of this Act.  
15 An offense committed before the effective date of this Act is  
16 governed by the law in effect when the offense was committed, and  
17 the former law is continued in effect for that purpose. For purposes  
18 of this section, an offense was committed before the effective date  
19 of this Act if any element of the offense was committed before that  
20 date.

21 SECTION 3. This Act takes effect September 1, 2007.