

By: Vaught

H.B. No. 3801

A BILL TO BE ENTITLED

AN ACT

relating to the requiring of notice in Charging Instruments.

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

SECTION 1. Article 21.02, Code of Criminal Procedure, is amended by adding Section 21.022 to read as follows:

21.022 REQUIRED NOTICE IN CHARGING INSTRUMENTS.

A charging instrument under articles 21.02 or 21.20 shall include the following:

(a) enhancement allegations under Chapter 12 of the Penal Code;

(b) deadly weapon allegations under Section 42.12(g) of the Code of Criminal Procedure.

Notice is untimely if given less than 30 days before trial.

SECTION 2. This Act takes effect September 1, 2007.