

By: Miklos

H.B. No. 2145

A BILL TO BE ENTITLED

AN ACT

1
2 relating to the right of an immediate family member of certain
3 deceased peace officers to make an oral statement regarding the
4 terms of a plea bargain agreement.

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

6 SECTION 1. Chapter 26, Code of Criminal Procedure, is
7 amended by adding Article 26.131 to read as follows:

8 Art. 26.131. PLEA BARGAIN SUPPORT STATEMENT. (a) An
9 immediate family member of a peace officer as defined by Section
10 1.07, Penal Code, who dies as the result of alleged criminal conduct
11 for which a defendant has been indicted or for which an information
12 is returned is entitled to make an oral statement to the court
13 regarding any plea bargain agreement in the case.

14 (b) In a case in which a peace officer as defined by Section
15 1.07, Penal Code, died as a result of the alleged criminal conduct
16 of the defendant, the attorney representing the state shall notify
17 the immediate family members of the deceased peace officer of the
18 existence and terms of any plea bargain agreement and of each
19 immediate family member's right to make an oral statement to the
20 court regarding whether the family member supports the terms of the
21 plea bargain agreement.

22 SECTION 2. The change in law made by this Act applies only
23 to a plea of guilty or nolo contendere entered on or after the
24 effective date of this Act, regardless of whether the offense with

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1 reference to which the plea is entered is committed before, on, or
2 after that date.

3 SECTION 3. This Act takes effect September 1, 2009.