

By: Deshotel

H.B. No. 3372

Substitute the following for H.B. No. 3372:

By: McReynolds

C.S.H.B. No. 3372

A BILL TO BE ENTITLED

AN ACT

relating to certain inmates entering certain pleas by mail or certain secure electronic transmissions.

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

SECTION 1. Chapter 27, Code of Criminal Procedure, is amended by adding Article 27.19 to read as follows:

Art. 27.19. PLEA BY CERTAIN INMATES. (a) Notwithstanding any other provision of this code, a court shall accept a written plea of guilty or nolo contendere with respect to a Class A or B misdemeanor sent by United States mail or secure electronic or facsimile transmission from an inmate who is incarcerated in a facility operated by or under contract with the Texas Department of Criminal Justice.

(b) Before accepting a plea under this article, the court shall verify that the person submitting the plea is:

(1) the same person named in the information; or

(2) a person with legal authority to enter a plea on behalf of the person named in the information.

(c) A plea submitted under Subsection (a) must be accompanied by a waiver of jury trial.

SECTION 2. Article 27.19, Code of Criminal Procedure, as added by this Act, applies to a plea of guilty or nolo contendere entered on or after the effective date of this Act, regardless of whether the offense with reference to which the plea is entered is

1 committed before, on, or after that date.

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