

1-1 By: Hinojosa S.B. No. 1681
1-2 (In the Senate - Filed March 10, 2009; March 20, 2009, read
1-3 first time and referred to Committee on Criminal Justice;
1-4 April 2, 2009, reported adversely, with favorable Committee
1-5 Substitute by the following vote: Yeas 7, Nays 0; April 2, 2009,
1-6 sent to printer.)

1-7 COMMITTEE SUBSTITUTE FOR S.B. No. 1681 By: Hinojosa

1-8 A BILL TO BE ENTITLED
1-9 AN ACT

1-10 relating to requiring the corroboration of certain testimony to
1-11 support a criminal conviction.

1-12 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

1-13 SECTION 1. Chapter 38, Code of Criminal Procedure, is
1-14 amended by adding Article 38.075 to read as follows:

1-15 Art. 38.075. CORROBORATION OF CERTAIN TESTIMONY REQUIRED.

1-16 (a) A defendant may not be convicted of an offense on the testimony
1-17 of a person to whom the defendant made a statement against the
1-18 defendant's interest during a time when the person was imprisoned
1-19 or confined in the same correctional facility as the defendant
1-20 unless the testimony is corroborated by other evidence tending to
1-21 connect the defendant with the offense committed. In this
1-22 subsection, "correctional facility" has the meaning assigned by
1-23 Section 1.07, Penal Code.

1-24 (b) Corroboration is not sufficient for the purposes of this
1-25 article if the corroboration only shows that the offense was
1-26 committed.

1-27 SECTION 2. The change in law made by this Act applies to any
1-28 case in which a judgment has not been entered before the effective
1-29 date of this Act. A case in which a judgment has been entered before
1-30 the effective date of this Act is governed by the law in effect when
1-31 the judgment was entered, and the former law is continued in effect
1-32 for that purpose.

1-33 SECTION 3. This Act takes effect September 1, 2009.

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