

AN ACT

relating to continuing legal education in ethics or professional responsibility for prosecutors.

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

SECTION 1. Subchapter B, Chapter 41, Government Code, is amended by adding Section 41.111 to read as follows:

Sec. 41.111. TRAINING RELATED TO PROSECUTING ATTORNEY'S DUTY TO DISCLOSE EXCULPATORY AND MITIGATING EVIDENCE. (a) Each attorney representing the state in the prosecution of felony and misdemeanor criminal offenses other than Class C misdemeanors shall complete a course of study relating to the duty of a prosecuting attorney to disclose exculpatory and mitigating evidence in a criminal case.

(b) The court of criminal appeals shall adopt rules relating to the training required by Subsection (a). In adopting the rules, the court shall consult with a statewide association of prosecuting attorneys in the development, provision, and documentation of the required training.

(c) The rules must:

(1) require that each attorney, within 180 days of assuming duties as an attorney representing the state described in Subsection (a), shall receive one hour of instruction relating to the duty of a prosecuting attorney to disclose exculpatory and mitigating evidence in a criminal matter;

1 (2) require additional training on a schedule or at a
2 time as determined by the court;

3 (3) provide that the required training be specific
4 with respect to a prosecuting attorney's duties regarding the
5 disclosure of exculpatory and mitigating evidence in a criminal
6 case, and must be consistent with case law and the Texas
7 Disciplinary Rules of Professional Conduct; and

8 (4) provide for a method of certifying the completion
9 of the training described in Subdivisions (1) and (2).

10 SECTION 2. (a) The court of criminal appeals shall adopt
11 rules required by Section 41.111, Government Code, as added by this
12 Act, not later than January 1, 2014.

13 (b) A person who on January 1, 2014, is serving as an
14 attorney representing the state as described in Section 41.111(a),
15 Government Code, as added by this Act, must comply with the training
16 requirements of this section not later than January 1, 2015.

17 SECTION 3. This Act takes effect January 1, 2014.

President of the Senate

Speaker of the House

I certify that H.B. No. 1847 was passed by the House on May 8, 2013, by the following vote: Yeas 146, Nays 1, 2 present, not voting; and that the House concurred in Senate amendments to H.B. No. 1847 on May 24, 2013, by the following vote: Yeas 142, Nays 1, 1 present, not voting.

Chief Clerk of the House

I certify that H.B. No. 1847 was passed by the Senate, with amendments, on May 22, 2013, by the following vote: Yeas 31, Nays 0.

Secretary of the Senate

APPROVED: _____

Date

Governor