

1-1 By: Carter (Senate Sponsor - Huffman) H.B. No. 1847
 1-2 (In the Senate - Received from the House May 9, 2013;
 1-3 May 9, 2013, read first time and referred to Committee on
 1-4 Jurisprudence; May 20, 2013, reported adversely, with favorable
 1-5 Committee Substitute by the following vote: Yeas 4, Nays 0;
 1-6 May 20, 2013, sent to printer.)

1-7 COMMITTEE VOTE

	Yea	Nay	Absent	PNV
1-8				
1-9	X			
1-10	X			
1-11			X	
1-12			X	
1-13	X			
1-14	X			
1-15			X	

1-16 COMMITTEE SUBSTITUTE FOR H.B. No. 1847 By: Campbell

1-17 A BILL TO BE ENTITLED
 1-18 AN ACT

1-19 relating to continuing legal education in ethics or professional
 1-20 responsibility for prosecutors.

1-21 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

1-22 SECTION 1. Subchapter B, Chapter 41, Government Code, is
 1-23 amended by adding Section 41.111 to read as follows:

1-24 Sec. 41.111. TRAINING RELATED TO PROSECUTING ATTORNEY'S
 1-25 DUTY TO DISCLOSE EXCULPATORY AND MITIGATING EVIDENCE. (a) Each
 1-26 attorney representing the state in the prosecution of felony and
 1-27 misdemeanor criminal offenses other than Class C misdemeanors shall
 1-28 complete a course of study relating to the duty of a prosecuting
 1-29 attorney to disclose exculpatory and mitigating evidence in a
 1-30 criminal case.

1-31 (b) The court of criminal appeals shall adopt rules relating
 1-32 to the training required by Subsection (a). In adopting the rules,
 1-33 the court shall consult with a statewide association of prosecuting
 1-34 attorneys in the development, provision, and documentation of the
 1-35 required training.

1-36 (c) The rules must:

1-37 (1) require that each attorney, within 180 days of
 1-38 assuming duties as an attorney representing the state described in
 1-39 Subsection (a), shall receive one hour of instruction relating to
 1-40 the duty of a prosecuting attorney to disclose exculpatory and
 1-41 mitigating evidence in a criminal matter;

1-42 (2) require additional training on a schedule or at a
 1-43 time as determined by the court;

1-44 (3) provide that the required training be specific
 1-45 with respect to a prosecuting attorney's duties regarding the
 1-46 disclosure of exculpatory and mitigating evidence in a criminal
 1-47 case, and must be consistent with case law and the Texas
 1-48 Disciplinary Rules of Professional Conduct; and

1-49 (4) provide for a method of certifying the completion
 1-50 of the training described in Subdivisions (1) and (2).

1-51 SECTION 2. (a) The court of criminal appeals shall adopt
 1-52 rules required by Section 41.111, Government Code, as added by this
 1-53 Act, not later than January 1, 2014.

1-54 (b) A person who on January 1, 2014, is serving as an
 1-55 attorney representing the state as described in Section 41.111(a),
 1-56 Government Code, as added by this Act, must comply with the training
 1-57 requirements of this section not later than January 1, 2015.

1-58 SECTION 3. This Act takes effect January 1, 2014.

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