

By: Canales

H.B. No. 2090

A BILL TO BE ENTITLED

AN ACT

relating to a written statement made by an accused as a result of
custodial interrogation.

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

SECTION 1. Section 1, Article 38.22, Code of Criminal
Procedure, is amended to read as follows:

Sec. 1. In this article, a written statement of an accused
means:

(1) [a statement signed by the accused] a statement
made by the accused in his own handwriting; or

(2) a statement made in a language the accused can read
and understand that:

(A) is signed by the accused; or

(B) bears the mark of the accused, if the accused
is unable to write and [~~, a statement bearing his mark, when~~] the
mark is [~~has been~~] witnessed by a person other than a peace officer.

SECTION 2. This Act applies only to a statement made by an
accused on or after the effective date of this Act. A statement made
by an accused before the effective date of this Act is governed by
the law in effect when the statement was made, and the former law is
continued in effect for that purpose.

SECTION 3. This Act takes effect September 1, 2013.