

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.