

By: Moody

H.B. No. 2258

A BILL TO BE ENTITLED

1 AN ACT
2 relating to the confidentiality of certain witness names listed in
3 an indictment.

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

5 SECTION 1. Article 20.20, Code of Criminal Procedure, is
6 amended to read as follows:

7 Art. 20.20. INDICTMENT PREPARED. (a) The attorney
8 representing the State shall prepare all indictments which have
9 been found, with as little delay as possible, and deliver them to
10 the foreman, who shall sign the same officially, and said attorney
11 shall endorse thereon the names of the witnesses upon whose
12 testimony the same was found.

13 (b) A pseudonym may be used instead of the name of a witness
14 under Subsection (a) if:

15 (1) nine members of the grand jury vote that
16 disclosing the name of the witness would place the witness in danger
17 of retaliation; or

18 (2) the attorney representing the state claims the
19 identity of informer privilege under Rule 508, Texas Rules of
20 Evidence.

21 SECTION 2. This Act takes effect September 1, 2013.