

By: Dutton

H.B. No. 865

A BILL TO BE ENTITLED

AN ACT

relating to the recording of certain grand jury proceedings that involve a peace officer.

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

SECTION 1. Chapter 20, Code of Criminal Procedure, is amended by adding Article 20.013 to read as follows:

Art. 20.013. RECORDING OF CERTAIN GRAND JURY PROCEEDINGS INVOLVING A PEACE OFFICER. (a) The entire grand jury proceeding shall be recorded either by a stenographer or by use of an electronic device capable of recording sound if:

(1) the person who is suspected or accused was employed as a peace officer at the time of the offense with which the person is suspected or accused; and

(2) the offense with which the person is suspected or accused is said to have been committed during the course and scope of the person's duties as a peace officer.

(b) A disclosure of a record made under Subsection (a) or a disclosure of a typewritten transcription of that record shall be made public if the grand jury finds no bill of indictment.

SECTION 2. Article 20.02(a), Code of Criminal Procedure, is amended to read as follows:

(a) Except as provided by Article 20.013, the [The] proceedings of the grand jury shall be secret.

SECTION 3. This Act applies only to a grand jury whose term

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1 commences on or after the effective date of this Act.

2 SECTION 4. This Act takes effect September 1, 2015.