

By: Hinojosa

S.B. No. 1746

A BILL TO BE ENTITLED

AN ACT

relating to a prohibition on requiring a defendant to enter a plea of guilty or nolo contendere as a condition of entering certain pretrial intervention programs.

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

SECTION 1. Section 76.011(b), Government Code, is amended to read as follows:

(b) Except as otherwise provided by this subsection, a program ~~[programs]~~ operated by the department under Subsection (a) may include reasonable conditions related to the purpose of the program, including testing for controlled substances. A program operated by the department under Subsection (a) may not include a condition that a defendant enter a plea of guilty or nolo contendere to participate in the program. If this subsection conflicts with a more specific provision of another law, the other law prevails.

SECTION 2. The change in law made by this Act applies to a condition for participation in a pretrial intervention program imposed on or after the effective date of this Act. A condition for participation in a pretrial intervention program imposed before the effective date of this Act is governed by the law as it existed on the date the condition was imposed, and the former law is continued in effect for that purpose.

SECTION 3. This Act takes effect September 1, 2015.