

By: Moody

H.B. No. 1967

Substitute the following for H.B. No. 1967:

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C.S.H.B. No. 1967

A BILL TO BE ENTITLED

AN ACT

relating to the creation of an innocence project grant program.

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

SECTION 1. Section 79.039(a), Government Code, is amended to read as follows:

(a) Each legal clinic or program in this state [~~that is operated by a law school and~~] that receives financial support from the commission shall submit to the commission an annual report regarding criminal cases:

(1) in which the clinic or program has provided legal services to an indigent defendant during the preceding calendar year; and

(2) in which:

(A) based on a finding of actual innocence, the court of criminal appeals overturns a conviction; or

(B) the governor issues a pardon based on actual innocence.

SECTION 2. Subchapter C, Chapter 79, Government Code, is amended by adding Section 79.041 to read as follows:

Sec. 79.041. INNOCENCE PROJECT GRANT PROGRAM. (a) Using any funds available for the purpose, the commission may establish an innocence project grant program to support:

(1) projects that screen, investigate, and litigate post-conviction claims of actual innocence in non-capital cases in

1 this state; and

2 (2) associated expenses necessary to conduct those
3 activities.

4 (b) In making grant awards under the program, the commission
5 shall promote among projects coordinated strategies that will
6 enable those projects to efficiently screen requests for assistance
7 and to engage in effective investigation and litigation activities.

8 (c) Only a public or private law school in Texas is eligible
9 to receive grants under the program.

10 (d) A law school that receives a grant under Subsection (c)
11 may enter into a contract with a nonprofit organization that is
12 based in this state and operates an innocence project, provided
13 that the law school accepts primary responsibility for monitoring
14 the contract.

15 (e) The commission may adopt rules to implement this
16 section.

17 SECTION 3. This Act takes effect September 1, 2017.