

1-1 By: Thompson of Harris, et al. H.B. No. 1139  
 1-2 (Senate Sponsor - Miles, West)  
 1-3 (In the Senate - Received from the House April 30, 2019;  
 1-4 May 1, 2019, read first time and referred to Committee on Criminal  
 1-5 Justice; May 17, 2019, reported adversely, with favorable  
 1-6 Committee Substitute by the following vote: Yeas 6, Nays 0;  
 1-7 May 17, 2019, sent to printer.)

1-8 COMMITTEE VOTE

	Yea	Nay	Absent	PNV
1-9				
1-10	X			
1-11			X	
1-12	X			
1-13	X			
1-14	X			
1-15	X			
1-16	X			

1-17 COMMITTEE SUBSTITUTE FOR H.B. No. 1139 By: Whitmire

1-18 A BILL TO BE ENTITLED  
 1-19 AN ACT

1-20 relating to the applicability of the death penalty to a capital  
 1-21 offense committed by a person with an intellectual disability.

1-22 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

1-23 SECTION 1. Title 1, Code of Criminal Procedure, is amended  
 1-24 by adding Chapter 46E to read as follows:

1-25 CHAPTER 46E. CAPITAL CASE: EFFECT OF INTELLECTUAL DISABILITY

1-26 Art. 46E.001. RESTRICTION ON DEATH PENALTY. A defendant  
 1-27 who is a person with an intellectual disability may not be sentenced  
 1-28 to death.

1-29 Art. 46E.002. PREVAILING MEDICAL STANDARDS. Evidence  
 1-30 offered by either party for purposes of determining whether a  
 1-31 defendant is a person with an intellectual disability must be  
 1-32 consistent with prevailing medical standards for the diagnosis of  
 1-33 intellectual disabilities.

1-34 SECTION 2. The changes in law made by this Act apply only to  
 1-35 a trial that commences on or after the effective date of this Act,  
 1-36 regardless of whether the alleged offense was committed before, on,  
 1-37 or after that date.

1-38 SECTION 3. This Act takes effect September 1, 2019.

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