

1-1 By: Leman (Senate Sponsor - Huffman, Zaffirini) H.B. No. 1996
 1-2 (In the Senate - Received from the House April 23, 2019;
 1-3 April 24, 2019, read first time and referred to Committee on State
 1-4 Affairs; April 29, 2019, reported favorably by the following vote:
 1-5 Yeas 8, Nays 0; April 29, 2019, sent to printer.)

1-6 COMMITTEE VOTE

	Yea	Nay	Absent	PNV
1-7 Huffman	X			
1-8 Hughes	X			
1-9 Birdwell	X			
1-10 Creighton			X	
1-11 Fallon	X			
1-12 Hall	X			
1-13 Lucio	X			
1-14 Nelson	X			
1-15 Zaffirini	X			

1-17 A BILL TO BE ENTITLED
 1-18 AN ACT

1-19 relating to admonitions given by a court to a defendant before
 1-20 accepting a plea of guilty or nolo contendere.

1-21 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

1-22 SECTION 1. Article 26.13, Code of Criminal Procedure, is
 1-23 amended by amending Subsection (d) and adding Subsection (d-1) to
 1-24 read as follows:

1-25 (d) Except as provided by Subsection (d-1), the [The] court
 1-26 may make the admonitions required by this article either orally or
 1-27 in writing. If the court makes the admonitions in writing, it must
 1-28 receive a statement signed by the defendant and the defendant's
 1-29 attorney that the defendant [he] understands the admonitions and is
 1-30 aware of the consequences of the [his] plea. If the defendant is
 1-31 unable or refuses to sign the statement, the court shall make the
 1-32 admonitions orally.

1-33 (d-1) The court shall make the admonition required by
 1-34 Subsection (a)(4) both orally and in writing. Unless the court has
 1-35 received the statement as described by Subsection (d), the court
 1-36 must receive a statement signed by the defendant and the
 1-37 defendant's attorney that the defendant understands the admonition
 1-38 required by Subsection (a)(4) and is aware of the consequences of
 1-39 the plea. If the defendant is unable or refuses to sign the
 1-40 statement, the court shall make a record of that fact.

1-41 SECTION 2. Article 26.13, Code of Criminal Procedure, as
 1-42 amended by this Act, applies only to a plea of guilty or a plea of
 1-43 nolo contendere accepted by a court on or after September 1, 2019,
 1-44 regardless of whether the offense for which the plea was submitted
 1-45 was committed before, on, or after that date.

1-46 SECTION 3. This Act takes effect September 1, 2019.

1-47 * * * * *