

By: Davis of Dallas

H.B. No. 2875

A BILL TO BE ENTITLED

AN ACT

relating to the admissibility and use of certain evidence in the prosecution of the offense of exploitation of a child, elderly individual, or disabled individual.

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

SECTION 1. Chapter 38, Code of Criminal Procedure, is amended by adding Article 38.471 to read as follows:

Art. 38.471. EVIDENCE IN PROSECUTION FOR EXPLOITATION OF CHILD, ELDERLY INDIVIDUAL, OR DISABLED INDIVIDUAL. (a) In the prosecution of an offense under Section 32.53, Penal Code, evidence that the defendant has engaged in other conduct that is similar to the alleged criminal conduct may be admitted for the purpose of showing the defendant's knowledge or intent regarding an element of the offense.

(b) Notwithstanding Article 38.14, uncorroborated testimony of an accomplice is sufficient to establish the defendant's knowledge or intent regarding an element of the offense.

SECTION 2. The change in law made by this Act applies to the admissibility of evidence in a criminal proceeding that commences on or after the effective date of this Act. The admissibility of evidence in a criminal proceeding that commences before the effective date of this Act is governed by the law in effect when the proceeding commenced, and the former law is continued in effect for

1 that purpose.

2 SECTION 3. This Act takes effect September 1, 2019.