

By: Hinojosa S.B. No. 1125
(Calanni, Howard, Goodwin, Clardy, Tinderholt, et al.)

A BILL TO BE ENTITLED

AN ACT

relating to the use of video teleconferencing for testimony of a forensic analyst in a criminal proceeding.

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

SECTION 1. Chapter 38, Code of Criminal Procedure, is amended by adding Article 38.076 to read as follows:

Art. 38.076. TESTIMONY OF FORENSIC ANALYST BY VIDEO TELECONFERENCE. (a) In this article, "forensic analyst" has the meaning assigned by Section 4-a, Article 38.01.

(b) In a proceeding in the prosecution of a criminal offense in which a forensic analyst is required to testify as a witness, any testimony of the witness may be conducted by video teleconferencing in the manner described by Subsection (c) if:

(1) the use of video teleconferencing is approved by the court and all parties;

(2) the video teleconferencing is coordinated in advance to ensure proper scheduling and equipment compatibility and reliability; and

(3) a method of electronically transmitting documents related to the proceeding is available at both the location at which the witness is testifying and in the court.

(c) A video teleconferencing system used under this article must provide an encrypted, simultaneous, compressed full motion video and interactive communication of image and sound between the

1 judge, the attorney representing the state, the attorney
2 representing the defendant, and the witness.

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