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| BILL ANALYSIS |

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| H.B. 1002 |
| By: Lucio III |
| Criminal Jurisprudence |
| Committee Report (Unamended) |

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| **BACKGROUND AND PURPOSE** Concerns have been raised regarding the use of testimony obtained by hypnosis against a defendant in a criminal trial. It has been suggested that the use of such a volatile form of testimony violates the constitutional right of Texans to a fair trial. H.B. 1002 seeks to address this issue by making testimony obtained by hypnosis inadmissible against a defendant in a criminal trial. |
| **CRIMINAL JUSTICE IMPACT**It is the committee's opinion that this bill does not expressly create a criminal offense, increase the punishment for an existing criminal offense or category of offenses, or change the eligibility of a person for community supervision, parole, or mandatory supervision. |
| **RULEMAKING AUTHORITY** It is the committee's opinion that this bill does not expressly grant any additional rulemaking authority to a state officer, department, agency, or institution. |
| **ANALYSIS** H.B. 1002 amends the Code of Criminal Procedure to make the testimony of a person obtained by hypnotizing the person inadmissible against a defendant in a criminal trial, whether offered in the guilt or innocence phase or the punishment phase of the trial. |
| **EFFECTIVE DATE** September 1, 2021. |