87R1519 AJZ-D

By:  Lucio III H.B. No. 1002

A BILL TO BE ENTITLED

AN ACT

relating to the use of hypnotically induced testimony in a criminal trial.

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

SECTION 1.  Chapter 38, Code of Criminal Procedure, is amended by adding Article 38.24 to read as follows:

Art. 38.24.  TESTIMONY OBTAINED BY HYPNOSIS. The testimony of a person obtained by hypnotizing the person is not admissible against a defendant in a criminal trial, whether offered in the guilt or innocence phase or the punishment phase of the trial.

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 on the date the proceeding commenced, and the former law is continued in effect for that purpose.

SECTION 3.  This Act takes effect September 1, 2021.