

By: Collier

H.B. No. 744

Substitute the following for H.B. No. 744:

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C.S.H.B. No. 744

A BILL TO BE ENTITLED

AN ACT

relating to certain duties of law enforcement agencies concerning certain information subject to disclosure to a defendant.

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

SECTION 1. Chapter 2, Code of Criminal Procedure, is amended by adding Article 2.1397 to read as follows:

Art. 2.1397. DUTIES OF LAW ENFORCEMENT AGENCY FILING CASE.

(a) In this article:

(1) "Attorney representing the state" means an attorney authorized by law to represent the state in a criminal case, including a district attorney, criminal district attorney, or county attorney with criminal jurisdiction. The term does not include an attorney representing the state in a justice or municipal court under Chapter 45.

(2) "Law enforcement agency" means an agency of the state or an agency of a political subdivision of the state authorized by law to employ peace officers.

(b) A law enforcement agency filing a case with the attorney representing the state shall submit to the attorney representing the state a written statement by an agency employee with knowledge of the case acknowledging that all documents, items, and information in the possession of the agency that are required to be disclosed to the defendant in the case under Article 39.14 have been transmitted to the attorney representing the state.

1 (c) If at any time after the case is filed with the attorney
2 representing the state the law enforcement agency discovers or
3 acquires any additional document, item, or information required to
4 be disclosed to the defendant under Article 39.14, an agency
5 employee shall promptly transmit the document, item, or information
6 to the attorney representing the state.

7 SECTION 2. This Act takes effect September 1, 2021.