

By: Raymond

H.B. No. 2162

A BILL TO BE ENTITLED

AN ACT

relating to the creation of the conviction integrity unit within the office of the attorney general.

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

SECTION 1. Subchapter B, Chapter 402, Government Code, is amended by adding Section 402.0232 to read as follows:

Sec. 402.0232. CONVICTION INTEGRITY UNIT. (a) A conviction integrity unit is created within the office of the attorney general to review and make recommendations regarding criminal convictions made in district and county courts of this state.

(b) The unit shall:

(1) accept requests submitted by any person for the review of a criminal conviction made in a district or county court of this state;

(2) develop criteria for determining which convictions the unit will review;

(3) review convictions to determine the existence and nature of errors made during the prosecution of the case and to ensure that the interest of justice has been served;

(4) refer persons to a criminal defense attorney or an organization that may be able to provide representation to the convicted person in a postconviction proceeding;

(5) make recommendations to the district attorney,

1 criminal district attorney, or county attorney that prosecuted each
2 case regarding the appropriate postconviction motions, writs, and
3 other proceedings that the unit believes are necessary to ensure
4 that the interest of justice is served;

5 (6) if requested by the district attorney, criminal
6 district attorney, or county attorney that prosecuted the case,
7 provide assistance in completing the recommended motions, writs, or
8 other proceedings; and

9 (7) analyze and examine each case in which a final
10 ruling is made by the court of criminal appeals on a writ of habeas
11 corpus granted for actual innocence and each case in which a
12 commutation of punishment or pardon is based on a claim of actual
13 innocence to determine systemic issues within the criminal justice
14 system.

15 (c) The attorney general shall:

16 (1) develop a form which a person may use to request
17 the review of a criminal conviction made in a district or county
18 court of this state; and

19 (2) make the form described by Subdivision (1)
20 available on the attorney general's Internet website.

21 (d) The criteria developed under Subsection (b)(2) must
22 prioritize:

23 (1) convictions in which the death penalty has been
24 imposed; and

25 (2) convictions for which the convicted person is
26 required to register for life as a sex offender under Chapter 62,
27 Code of Criminal Procedure.

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