

By: Meza

H.B. No. 792

A BILL TO BE ENTITLED

AN ACT

relating to the presence of a spiritual leader during the execution of a person.

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

SECTION 1. Article 43.20, Code of Criminal Procedure, is amended to read as follows:

Art. 43.20. PRESENT AT EXECUTION. (a) The following persons may be present at the execution: the executioner, and such persons as may be necessary to assist the executioner ~~[him]~~ in conducting the execution; the Texas Board of Criminal Justice ~~[Directors of the Department of Corrections]~~, two physicians, including the prison physician, the spiritual leader ~~[advisor]~~ of the condemned person as provided by Subsection (b), the chaplains of the Texas Department of Criminal Justice ~~[Corrections]~~, the county judge and sheriff of the county in which the Texas Department of Criminal Justice ~~[Corrections]~~ is situated, and any of the relatives or friends of the condemned person that the person ~~[he]~~ may request, not exceeding five in number, shall be admitted. No convict shall be permitted by the prison authorities to witness the execution.

(b) The Texas Department of Criminal Justice shall allow a condemned person to choose a spiritual leader of the religion that the person practices to be present at the execution, including in the room during the person's execution.

1           SECTION 2.   This Act takes effect September 1, 2023.