

By: Meza

H. B. No. 792

A BILL TO BE ENTITLED

1 AN ACT

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

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

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

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

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

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