

1-1 By: Huffman S.B. No. 1386
1-2 (In the Senate - Filed February 19, 2025; March 6, 2025,
1-3 read first time and referred to Committee on State Affairs;
1-4 April 1, 2025, reported adversely, with favorable Committee
1-5 Substitute by the following vote: Yeas 10, Nays 0; April 1, 2025,
1-6 sent to printer.)

1-7	COMMITTEE VOTE				
1-8		Yea	Nay	Absent	PNV
1-9	Hughes	X			
1-10	Paxton	X			
1-11	Bettencourt	X			
1-12	Birdwell	X			
1-13	Hall	X			
1-14	Hinojosa of Nueces	X			
1-15	Middleton	X			
1-16	Parker	X			
1-17	Perry	X			
1-18	Schwertner			X	
1-19	Zaffirini	X			

1-20 COMMITTEE SUBSTITUTE FOR S.B. No. 1386 By: Zaffirini

1-21 A BILL TO BE ENTITLED
1-22 AN ACT

1-23 relating to testimony or the production of evidence before a house
1-24 of the legislature or a legislative committee.

1-25 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

1-26 SECTION 1. Section 301.025, Government Code, is amended to
1-27 read as follows:

1-28 Sec. 301.025. REQUIRING WITNESS ~~[REFUSAL]~~ TO TESTIFY OR
1-29 PRODUCE EVIDENCE; IMMUNITY; COUNSEL. (a) A witness called by
1-30 either house of the legislature or by a legislative committee may
1-31 ~~[does]~~ not ~~[have a privilege to]~~ refuse to testify to a fact or
1-32 produce a document or other evidence for any reason, except as
1-33 provided by Subsection (b) ~~[on the ground that the testimony or~~
1-34 ~~document may tend to disgrace the person or otherwise make the~~
1-35 ~~person infamous]~~.

1-36 (b) Subject to Subsection (c), a witness called by either
1-37 house of the legislature or by a legislative committee may refuse to
1-38 testify to a fact or produce a document or other evidence on the
1-39 ground that the testimony or evidence may incriminate the person.

1-40 (c) A house of the ~~[The]~~ legislature or a legislative
1-41 committee may require a person to testify or produce a document or
1-42 other evidence concerning a matter under inquiry before that
1-43 ~~[either]~~ house or [a legislative] committee even if the person
1-44 claims that the testimony or evidence ~~[document]~~ may incriminate
1-45 the person ~~[him]~~.

1-46 (d) ~~[(c)]~~ If a person testifies or produces a document or
1-47 other evidence as required under Subsection (c) while claiming that
1-48 the testimony or evidence ~~[document]~~ may incriminate the person
1-49 [him], the testimony or evidence that the person was compelled to
1-50 produce, or any information directly or indirectly derived from
1-51 that testimony or evidence, may not be used against the person in
1-52 any criminal prosecution, other than a prosecution for any offense
1-53 involving perjury, making a false statement, or providing false
1-54 information ~~[person may not be indicted or prosecuted for any~~
1-55 ~~transaction, matter, or thing about which the person truthfully~~
1-56 ~~testified or produced evidence]~~.

1-57 (e) ~~[(d)]~~ A witness has a right to counsel when testifying
1-58 before either house of the legislature or a legislative committee.

1-59 SECTION 2. This Act takes effect immediately if it receives
1-60 a vote of two-thirds of all the members elected to each house, as

2-1 provided by Section 39, Article III, Texas Constitution. If this
2-2 Act does not receive the vote necessary for immediate effect, this
2-3 Act takes effect September 1, 2025.

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