

## **BILL ANALYSIS**

Senate Research Center  
76R6270 GWK-F

S.B. 557  
By: Lucio  
Criminal Justice  
3/15/1999  
As Filed

### **DIGEST**

Currently, courts are not authorized to provide the names and addresses of persons presenting evidence for the defense, under Rules 702, 703, and 705, Texas Rules of Evidence, to the prosecutor. Defense lawyers may request and obtain this information from the prosecutor as part of the discovery process. Due to the technical nature of an expert's testimony, the state should also be allowed to know previous to trial what experts the defense will call. Although the reciprocal measure will not jeopardize the defendant's case, the discovery could make the testimony at trial more efficient. S.B. 557 would authorize a court to disclose the names and addresses of persons presenting evidence under Rules 702, 703, and 705, Texas Rules of Evidence.

### **PURPOSE**

As proposed, S.B. 557 authorizes a court to disclose the names and addresses of persons presenting evidence under Rules 702, 703, and 705, Texas Rules of Evidence.

### **RULEMAKING AUTHORITY**

This bill does not grant any additional rulemaking authority to a state officer, institution, or agency.

### **SECTION BY SECTION ANALYSIS**

SECTION 1. Amends Article 39.14, Code of Criminal Procedure, to authorize a court, on motion of a party and on notice to other parties, to disclose to the party making the motion the names and addresses of persons presenting for the evidence for the other party under authority of Rules 702, 703, and 705, Texas Rules of Evidence. Requires the court to specify in the order the time and manner in which the other party must make the disclosure to the moving party. Makes a conforming change.

SECTION 2. Effective date: September 1, 1999.

SECTION 3. Emergency clause.