

BILL ANALYSIS

Senate Research Center

H.B. 1167
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Jurisprudence
5/11/2001

This analysis is based on the House Committee Report, which is the most recent version available to the Senate Research Center.

DIGEST AND PURPOSE

Testimony in a court proceeding for a child can be frightening and traumatic. H.B. 1167 requires a court in a criminal or civil proceeding to ensure that questions asked of a child younger than 13 years of age are appropriate to the age and understanding of a child.

RULEMAKING AUTHORITY

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

SECTION BY SECTION ANALYSIS

SECTION 1. Amends Chapter 38, Code of Criminal Procedure, by adding Article 38.09, as follows:

Art. 38.09. CHILD TESTIMONY; FORM OF EXAMINATION. Sets forth provisions regarding criminal proceedings in which a child younger than 13 years of age is a witness.

SECTION 2. Amends the heading to Chapter 18, Civil Practice and Remedies Code, to read as follows:

CHAPTER 18. EVIDENCE AND TESTIMONY

SECTION 3. Amends Chapter 18, Civil Practice and Remedies Code, by adding Subchapter D, as follows:

SUBCHAPTER D. CHILD TESTIMONY

Sec. 18.091. FORM OF EXAMINATION. Sets forth provisions regarding the examination in any civil proceeding of a child younger than 13 years of age as a witness.

SECTION 4. Effective date: September 1, 2001.
Makes application of this Act prospective.