

BILL ANALYSIS

Senate Research Center
83R13346 MAW-D

H.B. 3334
By: Hughes (Rodriguez)
Criminal Justice
5/13/2013
Engrossed

AUTHOR'S / SPONSOR'S STATEMENT OF INTENT

Current law requires questions presented by the grand jury or the attorney representing the state to a person accused or suspected, and the testimony of that person, to be recorded by a stenographer or an electronic device. However, questions concerning witness testimony often arise after the testimony is provided, which may cause problems because the law is silent on the recording of such testimony.

H.B. 3334 amends current law relating to the recording of testimony before a grand jury.

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 the heading to Article 20.012, Code of Criminal Procedure, to read as follows:

Art. 20.012. RECORDING OF GRAND JURY TESTIMONY.

SECTION 2. Amends Article 20.012(a), Code of Criminal Procedure, to require that questions propounded by the grand jury or the attorney representing the state to a witness before the grand jury, including a witness who is the person accused or suspected, and the testimony of that witness, rather than person, to the grand jury be recorded either by a stenographer or by use of an electronic device capable of recording sound.

SECTION 3. Provides that this Act applies only to a grand jury whose term commences on or after the effective date of this Act.

SECTION 4. Effective date: September 1, 2013.