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S.B. No. 116

A BILL TO BE ENTITLED

AN ACT

relating to electronically recording certain interrogations.

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

SECTION 1. Chapter 2, Code of Criminal Procedure, is amended by adding Article 2.31 to read as follows:

Art. 2.31. ELECTRONIC RECORDING OF CERTAIN CUSTODIAL INTERROGATIONS. (a) When practical, a peace officer conducting a custodial interrogation of a person suspected of engaging in conduct that violates a penal law of any grade of felony, including a juvenile, should, using audio-visual equipment or audio equipment, record the entire custodial interrogation, including the warnings described by Section 2, Article 38.22.

(b) The Department of Public Safety shall adopt rules for providing funds or electronic recording equipment to law enforcement agencies in this state for the purpose of recording interrogations of criminal defendants or suspects, including juveniles.

(c) Nothing in this article affects the admissibility of a statement that is otherwise admissible as evidence in a criminal proceeding.

SECTION 2. This Act takes effect September 1, 2009.