

1-1 By: Powell S.B. No. 2136
1-2 (In the Senate - Filed March 7, 2019; March 21, 2019, read
1-3 first time and referred to Committee on Criminal Justice;
1-4 May 1, 2019, reported favorably by the following vote: Yeas 7,
1-5 Nays 0; May 1, 2019, sent to printer.)

1-6 COMMITTEE VOTE

	Yea	Nay	Absent	PNV
1-7				
1-8	Whitmire	X		
1-9	Huffman	X		
1-10	Buckingham	X		
1-11	Flores	X		
1-12	Hughes	X		
1-13	Miles	X		
1-14	Perry	X		

1-15 A BILL TO BE ENTITLED
1-16 AN ACT

1-17 relating to the admissibility of evidence in the prosecution of an
1-18 offense committed against a member of the defendant's family or
1-19 household or person in a dating relationship with the defendant.

1-20 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

1-21 SECTION 1. The heading to Article 38.371, Code of Criminal
1-22 Procedure, is amended to read as follows:

1-23 Art. 38.371. EVIDENCE IN PROSECUTION [~~PROSECUTIONS~~] OF
1-24 OFFENSE COMMITTED AGAINST MEMBER OF DEFENDANT'S FAMILY OR HOUSEHOLD
1-25 OR PERSON IN DATING RELATIONSHIP WITH DEFENDANT [~~CERTAIN OFFENSES~~
1-26 ~~INVOLVING FAMILY VIOLENCE~~].

1-27 SECTION 2. Article 38.371(a), Code of Criminal Procedure,
1-28 is amended to read as follows:

1-29 (a) This article applies to a proceeding in the prosecution
1-30 of a defendant for an offense, or for an attempt or conspiracy to
1-31 commit an offense, for which the alleged victim is [~~that is~~
1-32 ~~committed under:~~

1-33 [~~(1) Section 22.01, 22.02, or 22.04, Penal Code,~~
1-34 ~~against~~] a person whose relationship to or association with the
1-35 defendant is described by Section 71.0021(b), 71.003, or 71.005,
1-36 Family Code[, or

1-37 [~~(2) Section 25.07 or 25.072, Penal Code, if the offense~~
1-38 ~~is based on a violation of an order or a condition of bond in a case~~
1-39 ~~involving family violence~~].

1-40 SECTION 3. The change in law made by this Act applies to the
1-41 admissibility of evidence in a criminal proceeding that commences
1-42 on or after the effective date of this Act. The admissibility of
1-43 evidence in a criminal proceeding that commences before the
1-44 effective date of this Act is governed by the law in effect on the
1-45 date the proceeding commenced, and the former law is continued in
1-46 effect for that purpose.

1-47 SECTION 4. This Act takes effect September 1, 2019.

1-48 * * * * *