

BILL ANALYSIS

H.B. 1002
By: Lucio III
Criminal Jurisprudence
Committee Report (Unamended)

BACKGROUND AND PURPOSE

Concerns have been raised regarding the use of testimony obtained by hypnosis against a defendant in a criminal trial. It has been suggested that the use of such a volatile form of testimony violates the constitutional right of Texans to a fair trial. H.B. 1002 seeks to address this issue by making testimony obtained by hypnosis inadmissible against a defendant in a criminal trial.

CRIMINAL JUSTICE IMPACT

It is the committee's opinion that this bill does not expressly create a criminal offense, increase the punishment for an existing criminal offense or category of offenses, or change the eligibility of a person for community supervision, parole, or mandatory supervision.

RULEMAKING AUTHORITY

It is the committee's opinion that this bill does not expressly grant any additional rulemaking authority to a state officer, department, agency, or institution.

ANALYSIS

H.B. 1002 amends the Code of Criminal Procedure to make the testimony of a person obtained by hypnotizing the person inadmissible against a defendant in a criminal trial, whether offered in the guilt or innocence phase or the punishment phase of the trial.

EFFECTIVE DATE

September 1, 2021.