

BILL ANALYSIS

Senate Research Center
76R2900 PEP-D

H.B. 1752
By: Coleman (Ellis)
Jurisprudence
5/5/1999
Engrossed

DIGEST

Currently, there is no specific language in the Code of Criminal Procedure which addresses the matter of compensation to a licensed private investigator (PI) who works on behalf of the defendant. PIs often rely on payment from the defendant's legal counsel, and this system can cause delays in payment. H.B. 1752 authorizes payments and advance payments to licensed private investigators and expert witnesses.

PURPOSE

As proposed, H.B. 1752 authorizes payments and advance payments to licensed private investigators and expert witnesses.

RULEMAKING AUTHORITY

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

SECTION BY SECTION ANALYSIS

SECTION 1. Amends Article 26.05, Code of Criminal Procedure, by adding Subsection (f), to authorize payments directly to a licensed private investigator, or to an expert witness in an approved and designated manner.

SECTION 2. Amends Article 26.052, Code of Criminal Procedure, by amending Subsections (g) and (1), to require the court to state that any ground on which the court relies for a determination that the requested amount is unreasonable. Authorizes advance payments directly to a licensed private investigator, or to an expert witness in an approved and designated manner.

SECTION 3. Effective date: September 1, 1999.

SECTION 4. Emergency clause.