

## **BILL ANALYSIS**

Senate Research Center  
76R2900 PEP-D

H.B. 1752  
By: Coleman (Ellis)  
Jurisprudence  
5/10/1999  
Committee Report (Amended)

### **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 (l), to authorize advance payments to be paid directly to a licensed private investigator, or to an expert witness in an approved and designated manner. Makes conforming changes.

SECTION 3. Effective date: September 1, 1999.

SECTION 4. Emergency clause.

### **SUMMARY OF COMMITTEE CHANGES**

SECTION 2.

Amends Article 26.052(g), Code of Criminal Procedure, to delete proposed addition relating to a determination regarding an unreasonable request.