

BILL ANALYSIS

H.B. 275
By: Moody
Criminal Jurisprudence
Committee Report (Unamended)

BACKGROUND AND PURPOSE

In Texas, a person may petition for a writ of habeas corpus based on new, admissible scientific evidence that was unavailable at the time of trial. The person may obtain relief if a court finds by a preponderance of the evidence that, had the new scientific evidence been presented at trial, the person would not have been convicted. This leaves a gap in cases in which the new scientific evidence would not have changed the conviction but would have resulted in a different punishment. H.B. 275 seeks to remedy this situation by providing the same relief when a petitioner shows that new, admissible scientific evidence unavailable at trial would have resulted in the petitioner receiving a different punishment.

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. 275 amends the Code of Criminal Procedure to extend a court's authority to grant a convicted person relief on an application for a writ of habeas corpus based on certain relevant scientific evidence that was not available at the person's trial to cases in which the court finds that, had that evidence been presented at trial, on the preponderance of the evidence the person would have received a different punishment.

EFFECTIVE DATE

December 1, 2021.