

## **BILL ANALYSIS**

Senate Research Center  
77R604 GWK-D

S.B. 133  
By: West, Royce  
Criminal Justice  
2/16/2001  
As Filed

### **DIGEST AND PURPOSE**

Under current Texas law, offering as evidence that the race or ethnicity of the defendant makes it either likely or unlikely that the defendant will engage in future criminal conduct is not prohibited. As proposed, S.B. 133 prohibits evidence being offered that the race or ethnicity of the defendant makes it either likely or unlikely that the defendant will engage in future criminal conduct.

### **RULEMAKING AUTHORITY**

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

### **SECTION BY SECTION ANALYSIS**

SECTION 1. Amends Section 3(a), Article 37.07, Code of Criminal Procedure, to prohibit evidence from being offered by the state or the defendant to establish that the race or ethnicity of the defendant makes it either likely or unlikely that the defendant will engage in future criminal conduct. Updates references to Texas Rules of Evidence, rather than Criminal Evidence.

SECTION 2. Amends Section 2(a), Article 37.071, Code of Criminal Procedure, to make conforming changes.

SECTION 3. Amends Section 3(a), Article 37.0711, Code of Criminal Procedure, to make conforming changes.

SECTION 4. Provides that the change in law made by this Act applies to any sentencing proceeding on or after the effective date, regardless of when the offense for which the defendant was convicted occurred.

SECTION 5. Effective date: September 1, 2001.