

## **BILL ANALYSIS**

Senate Research Center  
78R3910 EMT-D

S.B. 515  
By: Hinojosa  
Criminal Justice  
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As Filed

### **DIGEST AND PURPOSE**

Current law requires corroborating evidence for the testimony of a confidential informant (CI) to obtain a conviction under Texas' Controlled Substances Act, but does not require the corroboration of a peace officer's testimony. Moreover, in 2001, 180 drug cases from undercover stings were dismissed because officers' testimonies were uncorroborated and the officers were discredited or unavailable at the trials. As proposed, S.B. 515 requires the supporting testimony of anyone operating in an undercover drug sting as an agent of law enforcement.

### **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 Article 38.141, Code of Criminal Procedure, as follows:

Art. 38.141. New heading: TESTIMONY RELATING TO COVERT LAW ENFORCEMENT ACTIVITY. (a) Deletes text prohibiting the use of testimony by a person who is not a licensed peace officer or special investigator to convict a defendant of an offense under Chapter 481 (Texas Controlled Substances Act), Health and Safety Code.

(c) Deletes text defining "peace officer" and "special investigator."

SECTION 2. Effective date: September 1, 2003.

Makes application of this Act prospective.