

## BILL ANALYSIS

Senate Research Center  
78R7656 BDH-F

S.B. 1306  
By: Bivins  
Criminal Justice  
4/7/2003  
As Filed

### DIGEST AND PURPOSE

Currently, a defendant is allowed to submit a plea or a waiver of his rights through broadcast by closed circuit video teleconferencing. As proposed, S.B. 1306 authorizes the extension of this provision to a defendant confined in a county other than the county in which charges are pending

### 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 27.18, Code of Criminal Procedure, by adding Subsections (d), (e), and (f), as follows:

(d) Authorizes a defendant who is confined in a county other than the county in which charges against the defendant are pending to use the teleconferencing method provided by this article to enter a plea or waive a right in the court with jurisdiction over the case.

(e) Provides that a defendant who enters a plea or waiver under Subsection (d) consents to venue in the county in which the court receiving the plea or waiver is located and waives any claim of error related to venue.

(f) Authorizes the attorney representing the state to request at the time the plea is entered that the defendant submit a fingerprint of the defendant suitable for attachment to the judgment, if a defendant enters a plea of guilty or nolo contendere under Subsection (d). Requires the county in which the defendant is confined to obtain a fingerprint of the defendant and use first-class mail or other means acceptable to the attorney representing the state and the county to forward the fingerprint to the court accepting the plea, on request for a fingerprint under this subsection.

SECTION 2. Makes application of this Act prospective.

SECTION 3. Effective date: September 1, 2003.