

AN ACT

relating to requiring the corroboration of certain testimony in a criminal case involving controlled substances.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

SECTION 1. Chapter 38, Code of Criminal Procedure, is amended by adding Article 38.141 to read as follows:

Art. 38.141. TESTIMONY OF UNDERCOVER PEACE OFFICER OR SPECIAL INVESTIGATOR. (a) A defendant may not be convicted of an offense under Chapter 481, Health and Safety Code, on the testimony of a person who is not a licensed peace officer or a special investigator but who is acting covertly on behalf of a law enforcement agency or under the color of law enforcement unless the testimony is corroborated by other evidence tending to connect the defendant with the offense committed.

(b) Corroboration is not sufficient for the purposes of this article if the corroboration only shows the commission of the offense.

(c) In this article, "peace officer" means a person listed in Article 2.12, and "special investigator" means a person listed in Article 2.122.

SECTION 2. This Act takes effect September 1, 2001.

President of the Senate

Speaker of the House

I certify that H.B. No. 2351 was passed by the House on May 10, 2001, by a non-record vote; and that the House concurred in Senate amendments to H.B. No. 2351 on May 25, 2001, by a non-record vote.

Chief Clerk of the House

I certify that H.B. No. 2351 was passed by the Senate, with amendments, on May 17, 2001, by a viva-voce vote.

Secretary of the Senate

APPROVED: _____

Date

Governor