

By: Herrero

H.B. No. 3724

A BILL TO BE ENTITLED

AN ACT

relating to the consideration of certain scientific evidence  
constituting the basis for an application for a writ of habeas  
corpus.

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

SECTION 1. Article 11.073(d), Code of Criminal Procedure,  
is amended to read as follows:

(d) In making a finding as to whether relevant scientific  
evidence was not ascertainable through the exercise of reasonable  
diligence on or before a specific date, the court shall consider  
whether the field of scientific knowledge, a testifying expert's  
scientific knowledge, or a scientific method on which the relevant  
scientific evidence is based has changed since:

(1) the applicable trial date or dates, for a  
determination made with respect to an original application; or

(2) the date on which the original application or a  
previously considered application, as applicable, was filed, for a  
determination made with respect to a subsequent application.

SECTION 2. This Act takes effect September 1, 2015.