

CHAPTER 520

H.B. No. 697

AN ACT

relating to the use of subpoenas to obtain the testimony of children in criminal cases.

*Be it enacted by the Legislature of the State of Texas:*

SECTION 1. Chapter 24, Code of Criminal Procedure, is amended by adding Article 24.011 to read as follows:

*Art. 24.011. SUBPOENAS; CHILD WITNESSES. (a) If a witness is younger than 18 years, the court may issue a subpoena directing a person having custody, care, or control of the child to produce the child in court.*

*(b) If a person, without legal cause, fails to produce the child in court as directed by a subpoena issued under this article, the court may impose on the person penalties for contempt provided by this chapter. The court may also issue a writ of attachment*

*for the person and the child, in the same manner as other writs of attachment are issued under this chapter.*

SECTION 2. The importance of this legislation and the crowded condition of the calendars in both houses create an emergency and an imperative public necessity that the constitutional rule requiring bills to be read on three several days in each house be suspended, and this rule is hereby suspended, and that this Act take effect and be in force from and after its passage, and it is so enacted.

Passed by the House on May 8, 1987, by the following vote: Yeas 134, Nays 0, 1 present, not voting. Passed by the Senate on May 25, 1987, by the following vote: Yeas 29, Nays 0.

Approved June 17, 1987.

Effective June 17, 1987.