

REVENUE: No revenue impact

FISCAL: No fiscal impact

Action:	Do Pass as Amended and Be Printed Engrossed
Vote:	10 - 0 - 0
Yeas:	Barton, Cameron, Garrett, Krieger, Olson, Shields, Smith J., Stiegler, Whisnant, Barker
Nays:	0
Exc.:	0
Prepared By:	Shannon Sivell, Counsel
Meeting Dates:	5/5

WHAT THE MEASURE DOES: Allows witness in criminal trial to testify via simultaneous electronic transmission if both parties consent.

ISSUES DISCUSSED:

- Provisions of the measure
- Feasibility

EFFECT OF COMMITTEE AMENDMENT: Removes language limiting testimony via electronic transmission to experts.

BACKGROUND: Under current law, testimony via electronic transmission is explicitly prohibited in criminal trials. As a result, in instances where all parties agree to receive testimony from a witness that cannot be present in the courtroom, they cannot do so and a judge lacks the statutory authority to make an exception. For this reason, trials may be delayed. SB 380A is a cost-saving measure for the state, courts and defense. Nothing in the measure requires a party to agree to receiving testimony via electronic transmission and, even with an agreement, the judge may still use discretion to deny the request.