

HB 1389 -- ADMISSIBILITY OF A DEFENDANT'S CREATIVE EXPRESSION

SPONSOR: Keathley

This bill establishes the "Restoring Artistic Protection Act of 2025", which specifies that, subject to exceptions provided in the bill, evidence of a defendant's "creative or artistic expression", as defined in the bill, whether original or derivative, is not admissible against the defendant in a criminal case except under certain circumstances.

If the court admits any such evidence, the court must ensure that the expression is redacted in a manner to limit the evidence presented to the jury and the court must provide appropriate limiting instructions to the jury.

This bill is the same as HB 1040 (2025) and similar to HB 353 (2023).