

BILL ANALYSIS

H.B. 2301
By: Riddle
Criminal Jurisprudence
Committee Report (Unamended)

BACKGROUND AND PURPOSE

Interested parties note that two separate articles enumerated as 46B.0095(d) currently exist in the Code of Criminal Procedure. Given that the two versions differ substantively, these parties contend that the existence of the two articles naturally creates confusion. H.B. 2301 seeks to remedy this situation according to the Code Construction Act.

CRIMINAL JUSTICE IMPACT

It is the committee's opinion that this bill does not expressly create a criminal offense, increase the punishment for an existing criminal offense or category of offenses, or change the eligibility of a person for community supervision, parole, or mandatory supervision.

RULEMAKING AUTHORITY

It is the committee's opinion that this bill does not expressly grant any additional rulemaking authority to a state officer, department, agency, or institution.

ANALYSIS

H.B. 2301 repeals Article 46B.0095(d), Code of Criminal Procedure, as added by Chapter 822 (H.B. 2725), Acts of the 82nd Legislature, Regular Session, 2011, which requires a court to credit toward the cumulative period of commitment to an inpatient facility or participation in an outpatient treatment program of a defendant determined to be incompetent to stand trial any time that the defendant, following arrest for the offense for which the defendant was to be tried, is confined in a correctional facility before the initial order of commitment or participation is entered.

EFFECTIVE DATE

September 1, 2015.