

BILL ANALYSIS

Senate Research Center

H.B. 1467
By: Puente (Shapleigh)
Criminal Justice
5-17-97
Engrossed

DIGEST

Currently, Article 42.12, Code of Criminal Procedure, provides that the period of community supervision in a misdemeanor case may not exceed three years. If a person fails to pay previously assessed fines, costs, or restitution within the three year period, the judge loses jurisdiction to order the defendant to pay these costs. H.B. 1467 would allow a judge to extend the period of community supervision in a misdemeanor case a maximum of two years beyond the current three year limit if the defendant fails to pay previously assessed fines, costs, or restitution and the judge determines that extending supervision increases the likelihood the defendant will pay these costs.

PURPOSE

As proposed, H.B. 1467 extends the period of community supervision for certain persons convicted of a misdemeanor.

RULEMAKING AUTHORITY

This bill does not grant any additional rulemaking authority to a state officer, institution, or agency.

SECTION BY SECTION ANALYSIS

SECTION 1. Amends Section 22(c), Article 42.12, Code of Criminal Procedure, to prohibit the period of community supervision in a misdemeanor case from exceeding three years, except as provided by this subsection. Authorizes the judge to extend the period of community supervision in a misdemeanor case for any period the judge determines is necessary, not to exceed an additional two years beyond the three-year limit, if the defendant fails to pay a previously assessed fine, costs, or restitution and the judge determines that extending the period of supervision increases the likelihood that the defendant will fully pay the fine, costs, or restitution. Makes conforming changes.

SECTION 2. Effective date: September 1, 1997.
Makes application of this Act prospective.

SECTION 3. Emergency clause.