

BILL ANALYSIS

Senate Research Center
77R4590 GWK-D

H.B. 1658
By: Ritter (Staples)
Criminal Justice
4/29/2001
Engrossed

DIGEST AND PURPOSE

The Code of Criminal Procedure fails to address a court's responsibility for notifying the Texas Department of Criminal Justice (TDCJ) when a convicted defendant's case is subsequently dismissed. Because some courts do not inform TDCJ when charges are dropped, inmates are being housed longer than needed while TDCJ confirms that an inmate is free to be released. H.B. 1658 requires a county to inform TDCJ when charges against a defendant or inmate transferred to TDCJ are dismissed.

RULEMAKING AUTHORITY

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

SECTION BY SECTION ANALYSIS

SECTION 1. Amends Section 8, Article 42.09, Code of Criminal Procedure, to require a county to immediately notify an officer designated by the Texas Department of Criminal Justice (department) of a dismissal, if after the county transfers a defendant or inmate to the department the charges on which the defendant or inmate was transferred are dismissed.

SECTION 2. Effective date: upon passage or September 1, 2001.