

1-1 By: Canales (Senate Sponsor - Perry) H.B. No. 2446  
 1-2 (In the Senate - Received from the House April 27, 2021;  
 1-3 May 10, 2021, read first time and referred to Committee on Criminal  
 1-4 Justice; May 20, 2021, reported favorably by the following vote:  
 1-5 Yeas 7, Nays 0; May 20, 2021, sent to printer.)

1-6 COMMITTEE VOTE

	Yea	Nay	Absent	PNV
1-7				
1-8	X			
1-9	X			
1-10	X			
1-11	X			
1-12	X			
1-13	X			
1-14	X			

1-15 A BILL TO BE ENTITLED  
 1-16 AN ACT

1-17 relating to the reimbursement of expenses to certain counsel  
 1-18 appointed to represent a defendant in a criminal proceeding.

1-19 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

1-20 SECTION 1. Article 26.05, Code of Criminal Procedure, is  
 1-21 amended by amending Subsection (d) and adding Subsection (d-1) to  
 1-22 read as follows:

1-23 (d) A counsel in a noncapital case, other than an attorney  
 1-24 with a public defender's office, appointed to represent a defendant  
 1-25 under this code shall be reimbursed for reasonable and necessary  
 1-26 expenses, including expenses for:

- 1-27 (1) investigation;
- 1-28 (2) ~~and for~~ mental health and other experts; and
- 1-29 (3) if the defendant is imprisoned in a correctional  
 1-30 facility located more than 50 miles from the court in which the  
 1-31 defendant's proceeding is pending:

1-32 (A) travel to the defendant's location for a  
 1-33 confidential interview; or

1-34 (B) any costs associated with remotely  
 1-35 conducting a confidential interview with the defendant.

1-36 (d-1) Expenses under Subsection (d) incurred with prior  
 1-37 court approval shall be reimbursed in the same manner provided for  
 1-38 capital cases by Articles 26.052(f) and (g), and expenses under  
 1-39 that subsection incurred without prior court approval shall be  
 1-40 reimbursed in the manner provided for capital cases by Article  
 1-41 26.052(h).

1-42 SECTION 2. The change in law made by this Act applies only  
 1-43 to expenses incurred on or after the effective date of this Act.

1-44 SECTION 3. This Act takes effect September 1, 2021.

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