

By: Moody

H.B. No. 905

A BILL TO BE ENTITLED

AN ACT

relating to credit toward a defendant's sentence for time confined in jail or prison before sentencing.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

SECTION 1. Section 2(a), Article 42.03, Code of Criminal Procedure, is amended to read as follows:

(a) In all criminal cases the judge of the court in which the defendant is convicted shall give the defendant credit on the defendant's sentence for the time that the defendant has spent:

(1) in jail for the case, including confinement served as described by Article 46B.009 and excluding confinement served as a condition of community supervision, from the time of the defendant's ~~his~~ arrest and confinement until the defendant's ~~his~~ sentence by the trial court;

(2) in a substance abuse treatment facility operated by the Texas Department of Criminal Justice under Section 493.009, Government Code, or another court-ordered residential program or facility as a condition of deferred adjudication community supervision granted in the case if the defendant successfully completes the treatment program at that facility; ~~or~~

(3) confined in a mental health facility or residential care facility as described by Article 46B.009; or

(4) confined in jail or prison for another case if that confinement occurred after the commission of the offense for which

1 the defendant is convicted and before the date of the defendant's  
2 sentencing.

3           SECTION 2. The change in law made by this Act applies to a  
4 defendant who is sentenced for an offense on or after the effective  
5 date of this Act, regardless of whether the offense is committed  
6 before, on, or after the effective date of this Act.

7           SECTION 3. This Act takes effect September 1, 2023.