

By: Sherman, Sr.

H.B. No. 2113

A BILL TO BE ENTITLED

1 AN ACT
2 relating to the issuance of a warrant for a violation of a condition
3 of community supervision.

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

5 SECTION 1. Article 42A.751, Code of Criminal Procedure, is
6 amended by amending Subsection (a) and adding Subsection (a-1) to
7 read as follows:

8 (a) A judge may not issue a warrant under this article for a
9 violation of any condition of community supervision unless the
10 attorney representing the state has filed a motion to revoke,
11 modify, or extend the defendant's community supervision.

12 (a-1) At any time during the period of community
13 supervision, the judge may issue a warrant for a violation of any
14 condition of community supervision and cause a defendant convicted
15 under Section 43.02 or 43.021, Penal Code, Chapter 481, Health and
16 Safety Code, or Sections 485.031 through 485.035, Health and Safety
17 Code, or placed on deferred adjudication community supervision
18 after being charged with one of those offenses, to be subject to:

19 (1) the control measures of Section 81.083, Health and
20 Safety Code; and

21 (2) the court-ordered-management provisions of
22 Subchapter G, Chapter 81, Health and Safety Code.

23 SECTION 2. The change in law made by this Act applies only
24 to a warrant issued on or after the effective date of this Act. A

1 warrant issued before the effective date of this Act is governed by
2 the law in effect on the date the warrant was issued, and the former
3 law is continued in effect for that purpose.

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