

## **BILL ANALYSIS**

H.B. 2287  
By: Alonzo  
Corrections  
Committee Report (Unamended)

### **BACKGROUND AND PURPOSE**

Under current law, if a defendant uses or exhibits a firearm during the commission of a felony of the second degree or higher and the defendant is granted community supervision, the court may order that defendant to be confined in the institutional division of the Texas Department of Criminal Justice (TDCJ-ID) for not less than 60 days and not more than 120 days.

However, if a defendant uses a deadly weapon *other than a firearm* during the commission of a second degree or higher felony, the defendant is not subject to the provision for 60 to 120 day confinement in TDCJ-ID. HB 2287 expands the current provision to allow a court to order 60 to 120 day confinement for a defendant who used any deadly weapon in the commission of a second degree or higher felony.

### **RULEMAKING AUTHORITY**

It is the committee's opinion that this bill does not expressly grant any additional rulemaking authority to a state officer, department, agency, or institution.

### **ANALYSIS**

H.B. 2287 amends Section 3g(b), Article 42.12, Code of Criminal Procedure, to allow a court to order a defendant who used or exhibited a deadly weapon in a second degree or higher felony, and who has also been granted community supervision, to serve not less than 60 days and not more than 120 days in the institutional division of the Texas Department of Criminal Justice.

### **EFFECTIVE DATE**

September 1, 2003