

By: Farabee

H.B. No. 2657

A BILL TO BE ENTITLED

AN ACT

relating to appointment of counsel for indigent defendants.

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

SECTION 1. Article 1.051 (j), Code of Criminal Procedure, is amended to read as follows:

(j) Notwithstanding any other provisions of this section, if an indigent defendant is released from custody prior to the appointment of counsel under this section, appointment of counsel is not required until the defendant's first court appearance after [~~or when~~] adversarial judicial proceedings are initiated. [~~whichever comes first~~]

SECTION 2. This Act will take effect immediately if it receives a vote of two-thirds of all members elected to each house, as provided by Section 39, Article III, Texas Constitution. If this Act does not receive the vote necessary for immediate effect, this Act takes effect September 1, 2003.