

By: Phillips

H.B. No. 550

A BILL TO BE ENTITLED

1 AN ACT

2 relating to the preparation of a presentence report in a felony  
3 case.

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

5 SECTION 1. Section 9(g), Article 42.12, Code of Criminal  
6 Procedure, is amended to read as follows:

7 (g) A [~~Unless requested by the defendant, a~~] judge is not  
8 required to direct an officer to prepare a presentence report in a  
9 felony case under this section if:

10 (1) punishment is to be assessed by a jury;

11 (2) the defendant is convicted of or enters a plea of  
12 guilty or nolo contendere to capital murder;

13 (3) the only available punishment is imprisonment; or

14 (4) the judge is informed that a plea bargain  
15 agreement exists, under which the defendant agrees to a punishment  
16 of imprisonment, and the judge intends to follow the agreement.

17 SECTION 2. This Act takes effect September 1, 2005.