

1-1 By: Barrientos S.B. No. 1675
1-2 (In the Senate - Filed March 11, 2005; March 30, 2005, read
1-3 first time and referred to Committee on Criminal Justice;
1-4 May 2, 2005, reported adversely, with favorable Committee
1-5 Substitute by the following vote: Yeas 7, Nays 0; May 2, 2005, sent
1-6 to printer.)

1-7 COMMITTEE SUBSTITUTE FOR S.B. No. 1675 By: Hinojosa

1-8 A BILL TO BE ENTITLED
1-9 AN ACT

1-10 relating to the length of confinement in county jail as a condition
1-11 of community supervision that may be imposed on certain defendants.

1-12 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

1-13 SECTION 1. Subsection (a), Section 12, Article 42.12, Code
1-14 of Criminal Procedure, is amended to read as follows:

1-15 (a) If a judge having jurisdiction of a misdemeanor case
1-16 requires as a condition of community supervision that the defendant
1-17 submit to a period of confinement in a county jail, the period of
1-18 confinement may not exceed 30 days unless, in addition to the period
1-19 of confinement, the judge orders the defendant to participate in a
1-20 substance abuse treatment, mental health treatment, educational,
1-21 or vocational program to be provided in the jail during the period
1-22 of confinement. If the judge orders the defendant to participate in
1-23 one of these programs in the jail, the period of confinement may not
1-24 exceed 60 days for a Class B misdemeanor or 90 days for a Class A
1-25 misdemeanor. If a judge having jurisdiction of a felony case
1-26 requires as a condition of community supervision that the defendant
1-27 submit to a period of confinement in a county jail, the period of
1-28 confinement may not exceed 180 days.

1-29 SECTION 2. The change in law made by this Act applies only
1-30 to a defendant convicted of or placed on community supervision for
1-31 an offense committed on or after September 1, 2005. A defendant
1-32 convicted of or placed on community supervision for an offense
1-33 committed before September 1, 2005, is covered by the law in effect
1-34 when the offense was committed, and the former law is continued in
1-35 effect for that purpose. For purposes of this section, an offense
1-36 was committed before September 1, 2005, if any element of the
1-37 offense was committed before that date.

1-38 SECTION 3. This Act takes effect September 1, 2005.

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