

By: Haggerty

H.B. No. 975

A BILL TO BE ENTITLED

AN ACT

1
2 relating to computation of the time certain defendants are required
3 to serve in confinement following the revocation of community
4 supervision.

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

6 SECTION 1. Section 23(b), Article 42.12, Code of Criminal
7 Procedure, is amended to read as follows:

8 (b) If the judge revokes a defendant's community
9 supervision after a hearing under Section 21 and imposes on the
10 defendant a term of confinement, the judge may credit against any
11 time the defendant is required to serve the entire time or any [No]
12 part of the time that the defendant was [is] on community
13 supervision [shall be considered as any part of the time that he
14 shall be sentenced to serve]. The right of the defendant to appeal
15 for a review of the conviction and punishment, as provided by law,
16 shall be accorded the defendant at the time the defendant [he] is
17 placed on community supervision. When the defendant [he] is
18 notified that the defendant's [his] community supervision is
19 revoked for violation of the conditions of community supervision
20 and the defendant [he] is called on to serve a sentence in a jail or
21 in the [~~institutional division of the~~] Texas Department of Criminal
22 Justice, the defendant [he] may appeal the revocation.

23 SECTION 2. The change in law made by Section 23(b), Article
24 42.12, Code of Criminal Procedure, as amended by this Act, applies

1 only to the revocation of a term of community supervision imposed on
2 or after the effective date of this Act. The revocation of a term of
3 community supervision imposed before the effective date of this Act
4 is governed by the law in effect at the time the term of community
5 supervision was imposed, and the former law is continued in effect
6 for that purpose.

7 SECTION 3. This Act takes effect September 1, 2007.