

BILL ANALYSIS

C.S.H.B. 2285
By: Nash
Criminal Jurisprudence
Committee Report (Substituted)

BACKGROUND AND PURPOSE

Currently, the judge of the court having jurisdiction over a criminal case may impose reasonable conditions of community supervision on a defendant. Interested parties observe that one such condition of community supervision allows a judge to require a defendant to reimburse a law enforcement agency for costs associated with certain materials seized in connection with an offense. C.S.H.B. 2285 seeks to provide for reimbursement of a law enforcement agency for costs associated with the collection, analysis, storage, and disposal of a blood specimen.

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

C.S.H.B. 2285 amends the Code of Criminal Procedure to include among the conditions of community supervision that a judge is authorized to impose on a defendant the reimbursement of a law enforcement agency for costs incurred by the agency for the collection, analysis, storage, and disposal of a blood specimen under Transportation Code implied consent provisions relating to the taking and analysis of a specimen of a person arrested for a certain intoxication offense.

EFFECTIVE DATE

September 1, 2011.

COMPARISON OF ORIGINAL AND SUBSTITUTE

C.S.H.B. 2285 differs from the original by including among the conditions of community supervision that a judge is authorized to impose on a defendant the reimbursement of a law enforcement agency for costs incurred by the agency for the collection, analysis, storage, and disposal of a blood specimen under Transportation Code implied consent provisions, whereas the original includes among those conditions reimbursement of a law enforcement agency for the collection of certain materials seized in connection with the offense and includes blood among the specified seized materials for which reimbursement for collection, analysis, storage, or disposal by a law enforcement agency may be imposed as a condition of community supervision. The substitute contains a transition provision not included in the original. The substitute differs from the original by making the bill effective September 1, 2011, whereas the original makes the bill effective August 29, 2011.