

By: Allen

H.B. No. 2649

A BILL TO BE ENTITLED

1 AN ACT  
2 relating to the award of diligent participation credit to  
3 defendants confined in a state jail felony facility.

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

5 SECTION 1. Section 15(h), Article 42.12, Code of Criminal  
6 Procedure, is amended by amending Subdivision (1) and adding  
7 Subdivision (4) to read as follows:

8 (1) A defendant confined in a state jail felony  
9 facility does not earn good conduct time for time served in the  
10 facility but may be awarded diligent participation credit in  
11 accordance with Subdivision (4).

12 (4) A judge may credit against any time a defendant is  
13 required to serve in a state jail felony facility an additional time  
14 for each day the defendant actually serves in the facility for the  
15 defendant's diligent participation in an industrial, work,  
16 agricultural, educational, or vocational program provided to  
17 defendants confined in the facility. A time credit under this  
18 subdivision may not exceed one-fifth of the amount of time the  
19 defendant is originally required to serve in the facility. A  
20 defendant may not be awarded a credit under this subdivision for any  
21 period during which the defendant is subject to disciplinary  
22 action.

23 SECTION 2. The change in law made by this Act applies to a  
24 person confined in a state jail felony facility on or after the

H.B. No. 2649

1 effective date of this Act, regardless of when the offense for which  
2 the person is serving a sentence was committed.

3 SECTION 3. This Act takes effect September 1, 2011.