

## **BILL ANALYSIS**

H.B. 1992  
By: Smith  
Corrections  
Committee Report (Unamended)

### **BACKGROUND AND PURPOSE**

Under current law, a person who is sentenced to exactly 10 years for a felony conviction or who is convicted of a felony for which a judge is prohibited from ordering community supervision is ineligible for release on bail pending appeal. Interested parties have expressed concern that such a person will serve the person's sentence in a county jail while the person's case is appealed and that county jails will be burdened as a result. H.B. 1992 seeks to eliminate this burden by requiring such a person to be transferred to the Texas Department of Criminal Justice pending appeal.

### **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**

H.B. 1992 amends the Code of Criminal Procedure to require a defendant who is ineligible for release on bail pending appeal from any felony conviction for which the defendant's punishment is 10 years confinement or for which a judge is prohibited from ordering community supervision be transferred to the Texas Department of Criminal Justice pending appeal.

### **EFFECTIVE DATE**

September 1, 2013.