

By: White

H.B. No. 2736

A BILL TO BE ENTITLED

AN ACT

relating to the placement on community supervision of certain defendants convicted of a state jail felony.

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

SECTION 1. Section 15(f), Article 42.12, Code of Criminal Procedure, is amended by amending Subdivision (1) and adding Subdivision (2-a) to read as follows:

(1) If a defendant violates a condition of community supervision imposed on the defendant under this article and after a hearing under Section 21 ~~[of this article]~~ the judge revokes the defendant's community supervision, the judge shall dispose of the case in the manner provided by Section 23 ~~[of this article]~~. If the defendant violates a condition of community supervision following placement on community supervision under Subdivision (2-a), the judge shall order that all time credits previously earned by the defendant under Subsection (h)(6) be forfeited and shall require the defendant to serve the remainder of the original sentence imposed.

(2-a) A judge who orders a sentence to be executed under Subsection (a)(2) shall on the defendant's completion of one-half of the sentence imposed, including time credits earned under Subsection (h)(6), suspend the further execution of the sentence and place the defendant on community supervision, unless the execution of the sentence resulted from an adjudication of the

1 guilt of a defendant previously placed on deferred adjudication  
2 community supervision for the offense. A term of community  
3 supervision under this subdivision may not exceed two years.

4 SECTION 2. The change in law made by this Act applies only  
5 to a defendant who is convicted of an offense on or after the  
6 effective date of this Act. A defendant who is convicted of an  
7 offense before the effective date of this Act is governed by the law  
8 in effect at the time of the conviction, and the former law is  
9 continued in effect for that purpose.

10 SECTION 3. This Act takes effect immediately if it receives  
11 a vote of two-thirds of all the members elected to each house, as  
12 provided by Section 39, Article III, Texas Constitution. If this  
13 Act does not receive the vote necessary for immediate effect, this  
14 Act takes effect September 1, 2013.