

By: Rose

H.B. No. 3532

A BILL TO BE ENTITLED

AN ACT

1
2 relating to the period within which a criminal case must resume
3 after a defendant is determined to be competent to stand trial.

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

5 SECTION 1. Article 46B.084(d), Code of Criminal Procedure,
6 is amended to read as follows:

7 (d) If the defendant is found competent to stand trial,
8 criminal proceedings against the defendant may be resumed. The
9 court, on its own motion, shall resume the proceedings in the case
10 not later than the 14th day after the date of a competency
11 determination under this subsection. And after the defendant
12 returns to the jail or other correctional facility.

13 SECTION 2. The change in law made by this Act applies only
14 to a proceeding under Chapter 46B, Code of Criminal Procedure, that
15 commences on or after the effective date of this Act, regardless of
16 when the defendant may have committed the underlying offense for
17 which the defendant became subject to the proceeding.

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