

BILL ANALYSIS

H.B. 904
By: Smith
Corrections
Committee Report (Unamended)

BACKGROUND AND PURPOSE

Interested parties note that a person who is sentenced to 10 years or more 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. Furthermore, those parties have expressed concern that such a person may serve time in a county jail while the case is on appeal and that county jails may be burdened as a result.

H.B. 904 seeks to remedy this situation by revising provisions relating to eligibility for release on bail.

CRIMINAL JUSTICE IMPACT

It is the committee's opinion that this bill does not expressly create a criminal offense, increase the punishment for an existing criminal offense or category of offenses, or change the eligibility of a person for community supervision, parole, or mandatory supervision.

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. 904 amends the Code of Criminal Procedure to include among the defendants who, after being convicted of a felony and giving notice of appeal, must be transferred to the Texas Department of Criminal Justice on a commitment pending a mandate from the court of appeals or the Court of Criminal Appeals a defendant who is ineligible for release on bail pending appeal from any felony conviction for which the defendant's punishment equals or exceeds 10 years confinement or for which a judge is prohibited from ordering community supervision.

EFFECTIVE DATE

September 1, 2015.