

BILL ANALYSIS

H.B. 1442
By: Wu
Criminal Jurisprudence
Committee Report (Unamended)

BACKGROUND AND PURPOSE

Interested parties contend that some defendants who have completed a jail sentence for a misdemeanor conviction must remain unjustly in jail on the filing of a motion for a new trial or an appeal. H.B. 1442 seeks to remedy this situation by providing for the release of such a defendant on personal bond pending the determination of such a motion.

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. 1442 amends the Code of Criminal Procedure to entitle a defendant, pending the determination of the defendant's motion for a new trial or the appeal from a misdemeanor conviction, to be released after completion of a sentence of confinement imposed for the conviction. The bill authorizes the trial court to require the defendant to give a personal bond but prohibits the trial court, either instead of or in addition to the personal bond, from requiring any condition of the personal bond, another type of bail bond, or a surety or other security.

EFFECTIVE DATE

September 1, 2017.