

By: Rose

H.B. No. 828

A BILL TO BE ENTITLED

AN ACT

relating to credit toward payment of a fine and costs for certain misdemeanants confined in jail or prison before sentencing.

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

SECTION 1. Article 45.041, Code of Criminal Procedure, is amended by amending Subsection (c) and adding Subsections (c-1) and (c-2) to read as follows:

(c) The justice or judge shall credit the defendant for time served in jail as provided by Article 42.03.

(c-1) In addition to credit under Subsection (c), in imposing a fine and costs in a case involving a misdemeanor punishable by a fine only, the justice or judge shall credit the defendant for any time the defendant was confined in jail or prison while serving a sentence for another offense if that confinement occurred after the commission of the misdemeanor.

(c-2) A [The] credit under Subsection (c) or (c-1) shall be applied to the amount of the fine and costs at the rate provided by Article 45.048.

SECTION 2. The change in law made by this Act applies to a defendant who is sentenced for an offense on or after the effective date of this Act, regardless of whether the offense is committed before, on, or after the effective date of this Act.

SECTION 3. This Act takes effect September 1, 2019.