

BILL ANALYSIS

H.B. 569
By: Sanford
Criminal Jurisprudence
Committee Report (Unamended)

BACKGROUND AND PURPOSE

Concerns have been raised regarding the unnecessary encumbrances that hinder the progress of the formerly incarcerated to attain self-sufficiency. Formerly incarcerated individuals are often left frustrated and without hope and, in many cases, reenter the incarceration system due to financial constraints and a lack of viable opportunities. H.B. 569 seeks to alleviate the financial burden for some of these individuals by providing in certain circumstances a credit for time served against any fines and costs imposed in a case involving a fine-only misdemeanor.

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. 569 amends the Code of Criminal Procedure to require a justice or judge, in imposing a fine and costs in a case involving a fine-only misdemeanor, to 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. The credit must be applied to the amount of the fine and costs at the rate of \$200 for each day of confinement. A statement regarding a defendant's entitlement to the credit must be included in the requisite notice provided to a defendant before an arrest warrant may be issued for the defendant's failure to appear at an initial court setting.

H.B. 569 repeals Article 45.014(e), Code of Criminal Procedure, as added by Chapter 977 (H.B. 351), Acts of the 85th Legislature, Regular Session, 2017.

EFFECTIVE DATE

September 1, 2021.