

By: Canales

H.B. No. 2446

A BILL TO BE ENTITLED

AN ACT

relating to the reimbursement of expenses to certain counsel appointed to represent a defendant in a criminal proceeding.

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

SECTION 1. Article 26.05, Code of Criminal Procedure, is amended by amending Subsection (d) and adding Subsection (d-1) to read as follows:

(d) A counsel in a noncapital case, other than an attorney with a public defender's office, appointed to represent a defendant under this code shall be reimbursed for reasonable and necessary expenses, including expenses for:

(1) investigation;

(2) [~~and for~~] mental health and other experts; and

(3) if the defendant is imprisoned in a correctional facility located more than 50 miles from the court in which the defendant's proceeding is pending:

(A) travel to the defendant's location for a confidential interview; or

(B) any costs associated with remotely conducting a confidential interview with the defendant.

(d-1) Expenses under Subsection (d) incurred with prior court approval shall be reimbursed in the same manner provided for capital cases by Articles 26.052(f) and (g), and expenses under that subsection incurred without prior court approval shall be

1 reimbursed in the manner provided for capital cases by Article  
2 [26.052\(h\)](#).

3 SECTION 2. The change in law made by this Act applies only  
4 to expenses incurred on or after the effective date of this Act.

5 SECTION 3. This Act takes effect September 1, 2021.