BILL ANALYSIS

AUTHOR'S / SPONSOR'S STATEMENT OF INTENT

During the 83rd Legislature, the House Committee on Criminal Jurisprudence examined the effectiveness of community supervision in state jail felony facilities. The committee's interim report recommended that the Texas Department of Criminal Justice (TDCJ) notify the sentencing court of the date on which the defendant finishes serving 75 days in a state jail. Currently, judges who sentence a defendant to state jail are not notified when the defendant is transferred from county to state jail to start their sentence, which may cause the defendant to serve longer sentences than the judges may have intended. H.B. 1710 requires TDCJ to notify a sentencing court judge when a defendant has served 75 days in a state jail felony.

H.B. 1710 amends current law relating to notice provided to a court regarding a defendant confined in a state jail felony facility.

RULEMAKING AUTHORITY

This bill does not expressly grant any additional rulemaking authority to a state officer, institution, or agency.

SECTION BY SECTION ANALYSIS

SECTION 1. Amends Article 42A.558, Code of Criminal Procedure, by adding Subsections (b-1) and (b-2), as follows:

> (b-1) Requires the Texas Department of Criminal Justice (TDCJ), on request of the judge, not later than the 60th day after the date the defendant is received into the custody of a state jail felony facility, to notify the judge of the date on which the defendant will have served 75 days in the facility. Requires that the notice be provided by e-mail or other electronic communication.

> (b-2) Authorizes the judge, for purposes of Subsection (b-1), to submit a single request to TDCJ with respect to all applicable defendants sentenced in the judge's court.

SECTION 2. Makes application of the change in law made by this Act to Article 42A.558, Code of Criminal Procedure, prospective.

SECTION 3. Effective date: September 1, 2023.