

BILL ANALYSIS

H.B. 2380
By: Vasut
Criminal Jurisprudence
Committee Report (Unamended)

BACKGROUND AND PURPOSE

In 2021, the Texas Legislature passed H.B. 569, which increased the credit certain defendants earn toward fines from \$100 to \$150 for each day the defendant is confined in jail. However, the legislation did not similarly increase the credit for defendants who perform community service; the unintended consequence being that defendants now had an incentive to remain in jail, instead of pursuing community service options. H.B. 2380 seeks to address this issue and ensure that the credit that defendants earn through various activities, including community service, is consistent.

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. 2380 amends the Code of Criminal Procedure to increase from \$100 to \$150 the amount of credit a defendant convicted of a misdemeanor or felony earns toward a fine assessed or imposed on the defendant for:

- each day the defendant is confined;
- each day the defendant works in the county jail industries program, in the workhouse, on the county farm, or on public improvements and maintenance projects; and
- each eight hours of community service performed, if the defendant is unable to pay the fine or costs and required to perform community service by a court.

H.B. 2380 increases from \$100 to \$150 the amount of the credit that is earned toward fines or costs for each eight hours of community service performed by the following defendants:

- a defendant required to perform community service by a justice or municipal court who either fails to pay a previously assessed fine or costs or is determined by the court to have insufficient resources or income to pay a fine or costs; and
- a defendant younger than 17 years of age who is assessed a fine or costs for any Class C misdemeanor.

H.B. 2380 requires a justice or judge, in imposing a fine and costs in a fine-only misdemeanor case, to credit any time the defendant was confined in jail or prison while awaiting trial toward the fine or costs, \$150 for each day of confinement, if that confinement occurred after the commission of the misdemeanor.

H.B. 2380 applies as follows:

- to a defendant who is confined or performs labor or community service on or after the bill's effective date, regardless of whether the offense for which the fines or costs were imposed occurred before, on, or after the bill's effective date; and
- to a defendant who is sentenced for an offense on or after the bill's effective date, regardless of whether the offense was committed before, on, or after the bill's effective date.

EFFECTIVE DATE

September 1, 2023.