

BILL ANALYSIS

H.B. 2523
By: Canales
Criminal Jurisprudence
Committee Report (Unamended)

BACKGROUND AND PURPOSE

Many Texas counties utilize interlocal agreements to house pretrial detainees in out-of-county jails. According to a Texas Commission on Jail Standards monthly report for March 2021, nearly 2,000 people were detained in jails outside of the county where their case would be tried. This can result in hefty out-of-pocket costs for attorneys who have been appointed to these detainees and must either drive long distances to the out-of-county jails to speak with their clients or pay to talk on the phone with their clients. H.B. 2523 seeks to provide reimbursement for court-appointed attorneys for expenses incurred in confidential communications with defendants held in a facility more than 50 miles from the court in which the defendant's case is proceeding.

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. 2523 amends the Code of Criminal Procedure to expand the types of expenses that must be reimbursed to a counsel appointed to represent a defendant in a noncapital case who is confined in a correctional facility located more than 50 miles from the court in which the proceeding is pending by including expenses for the following:

- travel to the defendant's location for a confidential communication;
- food and lodging related to such travel; and
- any costs associated with remotely entering into a confidential communication with the defendant.

The bill applies only to expenses incurred on or after the bill's effective date and does not apply to an attorney with a public defender's office.

EFFECTIVE DATE

September 1, 2023.