88R8315 EAS-D

By:  Sherman, Sr. H.B. No. 2113

A BILL TO BE ENTITLED

AN ACT

relating to the issuance of a warrant for a violation of a condition of community supervision.

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

SECTION 1.  Article 42A.751, Code of Criminal Procedure, is amended by amending Subsection (a) and adding Subsection (a-1) to read as follows:

(a)  A judge may not issue a warrant under this article for a violation of any condition of community supervision unless the attorney representing the state has filed a motion to revoke, modify, or extend the defendant's community supervision.

(a-1)  At any time during the period of community supervision, the judge may issue a warrant for a violation of any condition of community supervision and cause a defendant convicted under Section 43.02 or 43.021, Penal Code, Chapter 481, Health and Safety Code, or Sections 485.031 through 485.035, Health and Safety Code, or placed on deferred adjudication community supervision after being charged with one of those offenses, to be subject to:

(1)  the control measures of Section 81.083, Health and Safety Code; and

(2)  the court-ordered-management provisions of Subchapter G, Chapter 81, Health and Safety Code.

SECTION 2.  The change in law made by this Act applies only to a warrant issued on or after the effective date of this Act. A warrant issued before the effective date of this Act is governed by the law in effect on the date the warrant was issued, and the former law is continued in effect for that purpose.

SECTION 3.  This Act takes effect September 1, 2023.