

By: Jones of Harris, Thompson of Harris,
Allen, et al.

H.B. No. 476

A BILL TO BE ENTITLED

AN ACT

relating to the release of certain defendants detained in jail
pending trial.

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

SECTION 1. Chapter 17, Code of Criminal Procedure, is
amended by adding Article 17.1511 to read as follows:

Art. 17.1511. RELEASE OF DEFENDANT DETAINED LONGER THAN
POTENTIAL PUNISHMENT. (a) Notwithstanding any other law and
except as provided by Subsection (b), a defendant charged with an
offense punishable as a Class B misdemeanor or any higher category
of offense may not be detained in jail pending trial for a
cumulative period that, when considering the maximum credit toward
the defendant's sentence to which the defendant would be entitled
to earn as a result of the defendant's conduct while confined in the
county jail of the county in which the offense occurred, exceeds the
maximum term of confinement that may be imposed on conviction of the
offense of which the defendant is accused.

(b) This article does not apply to a defendant who is being
evaluated for competency or subject to an order of commitment
issued under Chapter 46B.

SECTION 2. The change in law made by this Act applies only
to a person who is arrested on or after the effective date of this
Act. A person arrested before the effective date of this Act is
governed by the law in effect on the date the person was arrested,

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1 and the former law is continued in effect for that purpose.

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