

BILL ANALYSIS

H.B. 2448
By: Moody
Criminal Jurisprudence
Committee Report (Unamended)

BACKGROUND AND PURPOSE

Current law authorizes an attorney representing a defendant to present a waiver of arraignment to fix the defendant's identity and enter a plea. However, the bill author has informed the committee that ambiguity in that language has led many courts to require defendants to personally sign those waivers, which can be a problem when the defendant is incarcerated at a distant location. H.B. 2448 seeks to address this issue by authorizing an attorney representing a defendant to sign a waiver of arraignment on behalf of the defendant.

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. 2448 amends the Code of Criminal Procedure to authorize an attorney representing a defendant to sign a waiver of arraignment on the defendant's behalf.

EFFECTIVE DATE

September 1, 2025.