

BILL ANALYSIS

H.B. 3449
By: Canales
Criminal Jurisprudence
Committee Report (Unamended)

BACKGROUND AND PURPOSE

The bill author has informed the committee that due to overcrowding, some counties cannot house all inmates within their county jails. According to an August 2024 report from The Texas Tribune, as of June 2024, some 4,358 inmates in Texas were housed outside of their county of arrest. The bill author has further informed the committee that in such cases, court-appointed attorneys must often travel long distances and incur significant expenses on travel, lodging, and remote communications simply to do their job. H.B. 3449 seeks to ensure that court-appointed attorneys are adequately reimbursed for fulfilling their duties by providing for the reimbursement of expenses that are incurred for communicating with clients confined in a facility more than 50 miles from the court in which their proceedings are pending.

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. 3449 amends the Code of Criminal Procedure to expand the types of expenses that must be reimbursed to a counsel in a noncapital case, other than an attorney with a public defender's office, appointed to represent a defendant 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.

EFFECTIVE DATE

September 1, 2025.