

By: Jones of Harris, Curry, Cain, Moody,  
Money, et al.

H.B. No. 413

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 CERTAIN DEFENDANTS 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, 2025.