

BILL ANALYSIS

H.B. 1546
By: Allen
Corrections
Committee Report (Unamended)

BACKGROUND AND PURPOSE

Interested parties note that currently a person serving time for a state jail felony may receive diligent participation credit for the successful completion of an educational, vocational, treatment, or work program while confined. However, these parties assert that the current process by which the credit is reported is both cumbersome and time-consuming. Often times, a defendant has not received the full benefit of the credit by the time the court has received, processed, and approved the credit. H.B. 1546 seeks to address this issue by facilitating the timely application of credit for participation in certain programs.

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. 1546 amends the Code of Criminal Procedure to remove the requirement that the Texas Department of Criminal Justice (TDCJ) report to a court that sentences a defendant to confinement in a state jail felony facility within a specified period the number of days during which the defendant diligently participated in an educational, vocational, treatment, or work program and to instead require TDCJ to record the number of such days. The bill removes the authority of the judge of the sentencing court to credit against the defendant's sentence additional time based on the recorded number of days and instead requires TDCJ to credit such time against the defendant's sentence. The bill removes a statutory provision establishing that the contents of a report regarding the number of such days are not subject to challenge by a defendant.

EFFECTIVE DATE

September 1, 2015.