

BILL ANALYSIS

H.B. 2302
By: Riddle
Criminal Jurisprudence
Committee Report (Unamended)

BACKGROUND AND PURPOSE

Interested parties note that two separate articles enumerated as 46B.010 currently exist in the Code of Criminal Procedure. Given that the two versions differ, these parties contend that the existence of the two articles naturally creates confusion. H.B. 2302 seeks to remedy this situation according to the Code Construction Act.

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. 2302 reenacts Article 46B.010, Code of Criminal Procedure, as amended by Chapters 718 (H.B. 748) and 822 (H.B. 2725), Acts of the 82nd Legislature, Regular Session, 2011, to conform to changes made by Chapter 718 (H.B. 748), Acts of the 82nd Legislature, Regular Session, 2011, requiring a court, on the motion of an attorney representing a defendant charged with a misdemeanor punishable by confinement ordered to participate in an outpatient treatment program, to set the matter to be heard not later than the 10th day after the date of filing of the motion if the defendant is not tried before the expiration of the maximum period of restoration and requiring such a court to dismiss the charge on a finding that the defendant was not tried before the expiration of the maximum period of restoration.

EFFECTIVE DATE

September 1, 2015.