

BILL ANALYSIS

H.B. 1456
By: Dominguez
Criminal Jurisprudence
Committee Report (Unamended)

BACKGROUND AND PURPOSE

Concerns have been raised regarding the clarity of state law relating to the appointment of counsel to arrestees at a hearing before a magistrate. It has been suggested that attorneys appointed at this stage should not be mandated to continue with a case until its conclusion, despite potential direction to do so. H.B. 1456 seeks to address this issue by providing clear authority for attorneys to be appointed to represent an indigent person for the sole purpose of providing representation at the person's appearance before a magistrate.

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. 1456 amends the Code of Criminal Procedure to authorize an attorney to be appointed to represent an indigent person for the sole purpose of providing counsel in relation to that person's applicable appearance before a magistrate and to authorize the attorney to continue to represent the person following the proceeding if appointed for that purpose.

EFFECTIVE DATE

September 1, 2019.