

BILL ANALYSIS

H.B. 2446
By: Canales
Criminal Jurisprudence
Committee Report (Unamended)

BACKGROUND AND PURPOSE

Texas counties utilize interlocal agreements to house pretrial detainees in out-of-county jails. As of March 1, 2021, almost 2,000 people have been detained in jails outside of the county where their case would be tried. This situation results in hefty out-of-pocket costs for appointed attorneys, who must either drive long distances to the out-of-county jails to speak with their clients or pay more than a dollar a minute to talk on the phone with their clients. H.B. 2446 seeks to require reimbursement of court-appointed attorneys for expenses incurred in confidential communications with certain clients imprisoned in an out-of-county correctional facility.

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. 2446 amends the Code of Criminal Procedure to require that a counsel, other than a public defender, appointed to represent a defendant in a noncapital criminal case who is imprisoned in a correctional facility located more than 50 miles from the court in which the defendant's proceeding is pending be reimbursed for travel to the defendant's location for a confidential interview or any costs associated with remotely conducting a confidential interview with the defendant.

EFFECTIVE DATE

September 1, 2021.