

BILL ANALYSIS

Senate Research Center

H.B. 1499
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Criminal Justice
5/11/2001
Engrossed

This analysis is based on the House Committee Report, which is the most recent version available to the Senate Research Center.

DIGEST AND PURPOSE

Current law authorizes a judge, after a defendant enters a plea of guilty or nolo contendere and after hearing the evidence, to defer further proceedings without entering an adjudication of guilt and to impose reasonable conditions of deferred adjudication, including confinement. Because deferred adjudication is intended to postpone judgment until after a specified probationary period, extended confinement as a condition of deferred adjudication may be antithetical to the due process rights of a defendant. H.B. 1499 authorizes a judge to confine a defendant placed on community supervision for a period not to exceed 30 days.

RULEMAKING AUTHORITY

This bill does not expressly grant any additional rulemaking authority to a state officer, institution, or agency.

ANALYSIS

H.B. 1499 amends the Code of Criminal Procedure to authorize a judge to confine, as a condition of deferred adjudication, in a county jail or state jail felony facility, a defendant placed on community supervision for applicable offenses for a period not to exceed 30 days.

Effective date: September 1, 2001.

Makes application of this Act prospective.