

BILL ANALYSIS

Senate Research Center
77R5104 GWK-D

H.B. 1955
By: Zbranek (Staples)
Criminal Justice
5/8/2001
Engrossed

DIGEST AND PURPOSE

Under current Texas law, a defendant placed in jail on account of failure to pay the fine and costs of a case is required to be discharged when the defendant has remained in jail a sufficient length of time to satisfy the fine and costs. The defendant may satisfy this amount at a rate of not less than \$100 for each day or part of a day of jail time served, while a defendant who performs exactly eight hours of community service is discharged from \$100 of fines or costs. H.B. 1955 authorizes a convicting court to specify a period of time that is not less than eight hours or more than 24 hours as the period for which a defendant who fails to pay the fine and costs in the case must remain in jail to satisfy \$100 of the fine and costs.

RULEMAKING AUTHORITY

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

SECTION BY SECTION ANALYSIS

SECTION 1. Amends Article 45.048, Code of Criminal Procedure, to require a defendant placed in jail on account of failure to pay the fine and costs to be discharged on habeas corpus by a certain showing. Authorizes a convicting court to specify a period of time that is not less than eight hours or more than 24 hours as the period for which a defendant who fails to pay the fines and costs in the case must remain in jail to satisfy \$100 of the fine and costs.

SECTION 2. Makes application of this Act prospective.

SECTION 3. Effective date: September 1, 2001.