

BILL ANALYSIS

H.B. 2237
By: Walle
Criminal Jurisprudence
Committee Report (Unamended)

BACKGROUND AND PURPOSE

Interested parties contend that the requirement for attorneys in public defender offices to report the results of any investigation of a client's financial circumstances violates attorney-client privilege. H.B. 2237 seeks to remedy this situation by repealing statutory provisions relating to such an investigation and report.

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. 2237 repeals Article 26.044(1), Code of Criminal Procedure, which authorizes a public defender's office to investigate the financial condition of any person the public defender's office is appointed to represent, requires the public defender's office to report the results of the investigation to the appointing judge, and authorizes the judge to hold a hearing to determine if the person is indigent and entitled to representation provided by the public defender's office.

EFFECTIVE DATE

September 1, 2017.