

SUBJECT: Expanding the type of credit granted toward a defendant's sentence

COMMITTEE: Criminal Jurisprudence — favorable, without amendment

VOTE: 9 ayes — Moody, Cook, Bhojani, Bowers, Darby, Harrison, Leach, C. Morales, Schatzline
0 nays

WITNESSES: For — Sarah Mae Jennings, Texas Fair Defense Project (*Registered, but did not testify*: Adam Haynes, Conference of Urban Counties; Rebekah Chenelle, Dallas County Commissioners Court; M Paige Williams, Dallas County Criminal District Attorney John Creuzot; Elisa M. Tamayo, El Paso County; Rachel Barr, Texas Appleseed; Shea Place, Texas Criminal Defense Lawyers Association)

Against — (*Registered, but did not testify*: James Parnell, Dallas Police Association; John Wilkerson, Texas Municipal Police Association)

BACKGROUND: Some have suggested that statute should be clarified regarding whether a judge may grant credit toward a defendant's sentence for time confined in jail if the defendant is charged in more than one case.

DIGEST: HB 905 would require the judge of a convicting court in a criminal case to give a defendant credit toward the defendant's sentence for time spent confined in jail or prison for another case if that confinement occurred after the commission of the offense for which the defendant was convicted and before the sentencing date.

The bill would take effect September 1, 2023, and would apply only a defendant who was sentenced for an offense on or after that date.