

BILL SUMMARY
1st Session of the 59th Legislature

Bill No.:	HB2490
Version:	FA1
Request Number:	8040
Author:	Rep. Hill
Date:	3/22/2023
Impact:	\$0

Research Analysis

The CS to HB 2490 removes restrictions to allow the court to modify the initial sentence of an offender at any time. The measure provides that the court may extend the supervision of an offender for up to three years if the offender has committed a new crime while on supervision or willfully failed to pay restitution owed. The measure allows a defendant to petition the court at any time during a deferred judgement for a finding that the conditions of the deferral have been met.

CHANGES MADE IN THE FLOOR SUBSTITUTE:

The Floor Substitute removes all previous language. The FA1 allows a person who receives a suspended sentence exceeding five years in length for an offense not involving a violent crime, domestic violence or an 85% crime may request an early evaluation hearing after the person has served 5 years of the suspended sentence. The court may modify the length of the suspended sentence. A person who has obtained a diploma, degree or certification while on a suspended sentence may request an early evaluation after 4 years.

Prepared By: Brad Wolgamott

Fiscal Analysis

The floor amendment to this measure removes all previous language and sets forth responsibilities for the courts and district attorneys to potentially modify sentences based on the outcome of certain evaluations. The agencies expect to have the resources needed to carry out the provisions of the floor amendment, therefore there is no impact to state budget or appropriations.

Prepared By: Robert Flipping IV, House Fiscal Staff

Other Considerations

None.