

Bill Summary
1st Session of the 59th Legislature

Bill No.:	HB 2490
Version:	FS
Request No.:	2165
Author:	Sen. Daniels
Date:	04/26/2023

Bill Analysis

HB 2490 provides that persons who received a suspended or split sentence that exceeds 5 years may request an early evaluation hearing after 5 years to determine whether the length of the suspended sentence should be modified. The court may modify the defendant's sentence if it determines he or she complied with the provisions of his or her probation, had no criminal violations during the term of probation, and has no pending revocation hearings. The district attorney may object to the modification on behalf of the victim or victims of the offense. The hearing may be requested 1 year earlier than the minimum established by this measure if the offender received a high school or high school equivalency diploma, any college-level degree, or a vocational, technical, or career training certification or degree while serving his or her sentence or maintained consistent employment during the probation period. Such persons must also meet the previous requirements established by the measure. Written notice shall be made to the appropriate district attorney within 15 days of the offender requesting a hearing. The President Pro Tempore of the Senate, the Speaker of the House, or the Governor may request the District Attorneys Council to provide a list of early termination applications made and copies of any objections or other responses to such applications during the prior fiscal year.

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