

1-1 By: Huffman S.B. No. 374
1-2 (In the Senate - Filed January 10, 2023; February 15, 2023,
1-3 read first time and referred to Committee on Criminal Justice;
1-4 April 12, 2023, reported favorably by the following vote: Yeas 7,
1-5 Nays 0; April 12, 2023, sent to printer.)

1-6 COMMITTEE VOTE

	Yea	Nay	Absent	PNV
1-7				
1-8	Whitmire	X		
1-9	Flores	X		
1-10	Bettencourt	X		
1-11	Hinojosa	X		
1-12	Huffman	X		
1-13	King	X		
1-14	Miles	X		

1-15 A BILL TO BE ENTITLED
1-16 AN ACT

1-17 relating to the period for disposing of a charge that a person
1-18 violated a condition of release from the Texas Department of
1-19 Criminal Justice.

1-20 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

1-21 SECTION 1. Section 508.282(a), Government Code, is amended
1-22 to read as follows:

1-23 (a) Except as provided by Subsection (b), a parole panel, a
1-24 designee of the board, or the department shall dispose of the
1-25 charges against an inmate or person described by Section
1-26 508.281(a):

1-27 (1) before the 41st day after the date on which~~+~~
1-28 ~~[(A)]~~ a warrant issued as provided by Section
1-29 508.251 is executed, if the inmate or person is arrested only on a
1-30 charge that the inmate or person has committed an administrative
1-31 violation of a condition of release~~[, and the inmate or person is~~
1-32 ~~not charged before the 41st day with the commission of an offense~~
1-33 ~~described by Section 508.2811(2)(B)]~~; or

1-34 (2) before the 91st day after the date on which a
1-35 warrant issued as provided by Section 508.251 is executed, if:

1-36 (A) the inmate or person allegedly committed an
1-37 offense after release; and

1-38 (B) an indictment, information, or complaint for
1-39 the offense has not been filed in court ~~[the sheriff having custody~~
1-40 ~~of an inmate or person alleged to have committed an offense after~~
1-41 ~~release notifies the department that:~~

1-42 ~~[(i) the inmate or person has discharged~~
1-43 ~~the sentence for the offense; or~~

1-44 ~~[(ii) the prosecution of the alleged offense~~
1-45 ~~has been dismissed by the attorney representing the state in the~~
1-46 ~~manner provided by Article 32.02, Code of Criminal Procedure; or~~

1-47 ~~[(2) within a reasonable time after the date on which~~
1-48 ~~the inmate or person is returned to the custody of the department,~~
1-49 ~~if:~~

1-50 ~~[(A) immediately before the return the inmate or~~
1-51 ~~person was in custody in another state or in a federal correctional~~
1-52 ~~system; or~~

1-53 ~~[(B) the inmate or person is transferred to the~~
1-54 ~~custody of the department under Section 508.284].~~

1-55 SECTION 2. The change in law made by this Act applies only
1-56 to a person who on or after the effective date of this Act is charged
1-57 with a violation of a condition of the person's release. A person
1-58 who was charged with a violation of a condition of release before
1-59 the effective date of this Act is governed by the law in effect on
1-60 the date the person was charged with the violation, and the former
1-61 law is continued in effect for that purpose.

2-1 SECTION 3. This Act takes effect September 1, 2023.

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