

Amend CSHB 7 by adding the following appropriately numbered SECTIONS to Article 6 of the bill and renumbering existing SECTIONS of the article accordingly:

SECTION 6.\_\_\_. Section 508.047(b), Government Code, is amended to read as follows:

(b) Except as provided by Article 48.011, Code of Criminal Procedure, the [~~The~~] members of the board are not required to meet as a body to perform the members' duties in clemency matters.

SECTION 6.\_\_\_. Chapter 48, Code of Criminal Procedure, is amended by adding Article 48.011 to read as follows:

Art. 48.011. MEETINGS: CAPITAL CASE. (a) In a capital case, the members of the Board of Pardons and Paroles shall perform the members' duties in clemency matters by meeting as a body or by participating in a telephone conference call as permitted by Section 551.124, Government Code.

(b) The board shall deliberate privately, but at the conclusion of deliberations each board member shall announce publicly the member's individual decision as to whether to recommend clemency and shall sign the member's name with the member's written recommendation and reasons for that recommendation.

(c) The board shall adopt rules as necessary to implement the requirements of this article.

SECTION 6.\_\_\_. Section 551.124, Government Code, is amended to read as follows:

Sec. 551.124. BOARD OF PARDONS AND PAROLES. At the call of the presiding officer of the Board of Pardons and Paroles, the board may hold a hearing on clemency matters by telephone conference call. Other than the deliberations of the board, the proceedings at the telephone conference call hearing shall be recorded and made available to the public in the same manner as if the members of the board had met as a body to hold the hearing.

SECTION 6.\_\_\_. (a) The changes in law made by Sections 6.\_\_\_-6.\_\_\_ of this Act apply only to a consideration by the Board of Pardons and Paroles regarding a clemency matter in a capital case that occurs on or after the effective date of this article.

(b) The Board of Pardons and Paroles shall adopt the rules

required by Article 48.011(c), Code of Criminal Procedure, as added by this article, not later than March 1, 2004.