

BILL ANALYSIS

H.B. 1180
By: Chisum
Corrections
Committee Report (Unamended)

BACKGROUND AND PURPOSE

Currently, Section 499.052, Government Code, prescribes a State Boot Camp Program for certain offenders who are required to serve a maximum of 90 days in the Texas Department of Criminal Justice institutional division.

When sentenced to boot camp, typically an offender is transferred to Huntsville for 25 to 30 days to undergo processing and then is sent to boot camp, where he or she undergoes a medical evaluation to determine if that person has any medical conditions that would disqualify the person from the program. Once in the boot camp, the offender spends 7 - 14 days acclimating and learning protocol. Obviously, the days spent transferring, processing, and acclimatizing the offender limits the number of days the offender can actually undergo boot camp training and labor.

Also, in recent years the average age of offenders sentenced to boot camp dropped from 22 to 26 years old to 17 to 22 years old. The younger offenders now sentenced to boot camp often have more behavioral problems and therefore need more time to benefit from the boot camp program.

The current 90-day statutory maximum does not provide sufficient time for properly processing an inmate and completing the full boot camp program. HB 1180 increases the 90-day maximum sentence for state boot camp participants to 180 days.

RULEMAKING AUTHORITY

It is the committee's opinion that this bill does not expressly grant any additional rulemaking authority to a state officer, department, agency, or institution.

ANALYSIS

SECTION 1. For the purposes of Section 8(a), Article 42.12, Code of Criminal Procedure (STATE BOOT CAMP PROGRAM), the bill changes the length of time that a court sentencing imprisonment in the institutional division of TDCJ for a felony conviction has jurisdiction from 90 days to 180 days from the date on which the convicted person is received into custody by the institutional division of TDCJ. The bill also makes conforming changes.

SECTION 2. The bill amends Sections 499.052(a) and (d), Government Code (STATE BOOT CAMP PROGRAM), to change the requirements for participation in the boot camp program from persons who are required to serve not more than 90 days in the institutional division of TDCJ to persons who are required to serve not more than 180 days in the institutional division of TDCJ.

SECTION 3. This Act applies only to a defendant convicted of an offense committed on or after the effective date.

SECTION 4. Effective date.

EFFECTIVE DATE

September 1, 2003