

## **BILL ANALYSIS**

Senate Research Center

H.B. 1670  
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Engrossed

### **DIGEST AND PURPOSE**

H.B. 1670 authorizes an inmate, other than an inmate who is serving a sentence of death or an inmate who has a reportable conviction or adjudication under Chapter 62 (Sex Offender Registration Program), Code of Criminal Procedure, to be released on medically recommended intensive supervision on a date designed by a parole panel described by Subsection (e) if certain conditions apply. This bill also authorizes only parole panels composed of the presiding officer of the Texas Board of Pardons and Paroles and two members appointed to the panel by the presiding officer to make determinations regarding the release of inmates on medically recommended intensive supervision under this section. Requires the Texas Council on Offenders with Mental Impairments (council), if the council identifies an inmate as a candidate for release under the guidelines established by Subsection (a)(1), to present to a parole panel described by this subsection relevant information concerning the inmate and the inmate's potential for release under this section.

### **RULEMAKING AUTHORITY**

This bill does not expressly grant any additional rulemaking authority to a state officer, institution, or agency.

### **SECTION BY SECTION ANALYSIS**

SECTION 1. Amends Section 508.146, Government Code, by amending Subsections (a) and (c) and adding Subsection (e), as follows:

(a) Authorizes an inmate, other than an inmate who is serving a sentence of death or an inmate who has a reportable conviction or adjudication under Chapter 62 (Sex Offender Registration Program), Code of Criminal Procedure, rather than an inmate serving a sentence for which parole eligibility is otherwise determined under Section 508.0145(f), to be released, rather than become eligible for release, on medically recommended intensive supervision on a date designed by a parole panel described by Subsection (e), rather than a date that is earlier than the date computed under that section, if certain conditions apply.

(c) Requires the, rather than a, parole panel to require as a condition of release under this section that the releasee remain under the care of a physician and in a medically suitable placement. Requires the Texas Council on Offenders with Mental Impairments (council), at least once each calendar year, to report to the parole panel, rather than the Texas Board of Pardons and Paroles (TBPP), on the releasee's medical and placement status. Authorizes the parole panel, on the basis of the report, to modify conditions of release and impose any condition on the release that a, rather than the, panel could impose on a releasee released under Section 508.145, including a condition that the releasee reside in a halfway house or a community residential facility. Makes a conforming change.

(e) Authorizes only parole panels composed of the presiding officer of TBPP and two members appointed to the panel by the presiding officer to make determinations regarding the release of inmates on medically recommended intensive supervision under this section. Requires the council, if the council identifies an inmate as a candidate for release under the guidelines established by Subsection (a)(1), to present to a parole panel

described by this subsection relevant information concerning the inmate and the inmate's potential for release under this section.

SECTION 2. Repealer: Section 2, Chapter 1435, Acts of the 77th Legislature, Regular Session, 2001 (regarding issuing requests for proposals).

SECTION 3. Provides that the change in law made by this Act applies to an inmate who on or after the effective date of this Act is serving a sentence in the institutional division of the Texas Department of Criminal Justice and who is described by Section 508.146(a)(1), Government Code, regardless of whether the sentence is for an offense committed before, on, or after the effective date of this Act.

SECTION 4. Effective date: September 1, 2003.