

BILL ANALYSIS

C.S.S.B. 917
By: Whitmire
Corrections
Committee Report (Substituted)

BACKGROUND AND PURPOSE

It is the policy of the Texas Board of Pardons and Paroles to review inmates' parole requests within three years after each denial of parole. This is the review policy for all inmates, regardless of the likelihood that the inmate will be granted parole. C.S.S.B. 917 allows a violent offender to receive a set off of one, two, three, four, or five years before his or her next parole review, and it requires a nonviolent offender to be reviewed as soon as practicable after the first anniversary of the date of parole denial.

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. Adds Subsection (g) to Section 508.141 of the Government Code to require the policy board of the Board of Pardons and Paroles to adopt a policy establishing the date on which the board may reconsider parole of an inmate serving a sentence described by Section 508.149(a) of the Government Code. The policy must require that at the time parole is denied, the board must designate a month when the inmate can be reconsidered. The designated month must begin after the first anniversary of the date of denial and end before the fifth anniversary of the date of denial. The policy must also require the board to reconsider for release an inmate other than an inmate serving a sentence for an offense listed in Section 508.149(a) as soon as practicable after the first anniversary of the date of the denial.

SECTION 2. The policy board must adopt this policy not later than January 1, 2004.

SECTION 3. Effective date.

EFFECTIVE DATE

Upon passage, or, if the Act does not receive the necessary vote, the Act takes effect September 1, 2003.

COMPARISON OF ORIGINAL TO SUBSTITUTE

The substitute modifies the original by clarifying that the board is required to adopt the reconsideration policy for an inmate *currently serving a sentence* for an offense under Subsection (a) of Section 508.149, rather than the entire Section. The substitute also requires the parole panel to designate a month for the inmate's parole reconsideration.