

By: Hopson

H.B. No. 1236

A BILL TO BE ENTITLED

1 AN ACT

2 relating to information required to be placed in a pen packet
3 accompanying a defendant on transfer from county jail to the Texas
4 Department of Criminal Justice.

5 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

6 SECTION 1. Section 8(a), Article 42.09, Code of Criminal
7 Procedure, is amended to read as follows:

8 (a) A county that transfers a defendant to the Texas
9 Department of Criminal Justice under this article shall deliver to
10 an officer designated by the department:

11 (1) a copy of the judgment entered pursuant to Article
12 42.01 of this code, completed on a standardized felony judgment
13 form described by Section 4 of that article;

14 (2) a copy of any order revoking community supervision
15 and imposing sentence pursuant to Section 23, Article 42.12, of
16 this code, including:

17 (A) any amounts owed for restitution, fines, and
18 court costs, completed on a standardized felony judgment form
19 described by Section 4, Article 42.01, of this code; and

20 (B) a copy of the client supervision plan
21 prepared for the defendant by the community supervision and
22 corrections department supervising the defendant, if such a plan
23 was prepared;

24 (3) a written report that states the nature and the

1 seriousness of each offense and that states the citation to the
2 provision or provisions of the Penal Code or other law under which
3 the defendant was convicted;

4 (4) a copy of the victim impact statement, if one has
5 been prepared in the case under Article 56.03 of this code;

6 (5) a statement as to whether there was a change in
7 venue in the case and, if so, the names of the county prosecuting
8 the offense and the county in which the case was tried;

9 (6) a copy of the record of arrest for each offense;

10 (7) if requested, information regarding the criminal
11 history of the defendant, including the defendant's state
12 identification number if the number has been issued;

13 (8) a copy of the indictment or information for each
14 offense;

15 (9) a checklist sent by the department to the county
16 and completed by the county in a manner indicating that the
17 documents required by this subsection and Subsection (c) of this
18 section accompany the defendant; ~~and~~

19 (10) if prepared, a copy of a presentence or
20 postsentence investigation report prepared under Section 9,
21 Article 42.12 of this code;

22 (11) a copy of any detainer, issued by an agency of the
23 federal government, that is in the possession of the county and that
24 has been placed on the defendant; and

25 (12) a written description of a hold or warrant,
26 issued by any other jurisdiction, that the county is aware of and
27 that has been placed on or issued for the defendant.

1 SECTION 2. This Act takes effect September 1, 2003, and
2 applies to a defendant who is transferred from a county to the Texas
3 Department of Criminal Justice on or after that date.