

By: Moreno of El Paso

H.B. No. 2626

A BILL TO BE ENTITLED

AN ACT

1
2 Relating to early release from community supervision.

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

4 SECTION 1. Section 5(c), Article 42.12, Code of Criminal
5 Procedure, is amended to read as follows:

6 (c) On expiration of a community supervision period imposed
7 under Subsection (a) of this section, if the judge has not proceeded
8 to adjudication of guilt, the judge shall dismiss the proceedings
9 against the defendant and discharge him. The judge shall ~~[may]~~
10 dismiss the proceedings and discharge a defendant, other than a
11 defendant charged with an offense requiring the defendant to
12 register as a sex offender under Chapter 62, ~~[as added by Chapter~~
13 ~~668, Acts of the 75th Legislature, Regular Session, 1997,]~~ if the
14 defendant has successfully completed one-third or two years of his
15 sentence, whichever is less. ~~[prior to the expiration of the term of~~
16 ~~community supervision if in the judge's opinion the best interest~~
17 ~~of society and the defendant will be served.]~~

18 SECTION 2. Section 20(a), Article 42.12, Code of Criminal
19 Procedure, is amended to read as follows:

20 (a) If ~~[At any time, after]~~ the defendant has satisfactorily
21 completed one-third of the original community supervision period or
22 two years of community supervision, whichever is less, the period
23 of community supervision shall ~~[may]~~ be ~~[reduced or]~~ terminated by
24 the judge. Upon the satisfactory fulfillment of the conditions of

1 community supervision, and the expiration of the period of
2 community supervision, the judge, by order duly entered, shall
3 amend or modify the original sentence imposed, if necessary, to
4 conform to the community supervision period and shall discharge the
5 defendant.

6 SECTION 3. EFFECTIVE DATE. This Act takes effect September
7 1, 2003.