A BILL TO BE ENTITLED

1   AN ACT

2 relating to the subsequent release from the institutional division

3 of the Texas Department of Criminal Justice of a person whose

4 release on parole or to mandatory supervision has been revoked.

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

6   SECTION 1. Subchapter E, Chapter 508, Government Code, is

7 amended by adding Section 508.1451 to read as follows:

8   Sec. 508.1451. RELEASE FOLLOWING REVOCATION. (a) In this

9 section, "technical violation" means a violation of a condition of

10 supervision that does not involve an arrest or criminal charge for

11 or conviction of an offense.

12   (b) Except as provided by Subsection (d), not earlier than

13 the first anniversary of the date on which a person was returned to

14 imprisonment in the institutional division following revocation of

15 parole or mandatory supervision for a technical violation of

16 conditions of release, a parole panel may release the person to

17 parole.

18   (c) A person released under this subsection is subject to

19 the same conditions of release as if the person were released under

20 Section 508.145.

21   (d) A parole panel may not release an inmate under this

22 section if:

23   (1) the inmate is serving a sentence for an offense

24 listed in Section 508.149 or has previously been convicted of an

1 offense listed in that section;

2   (2) the inmate has had for the sentence on which the

3 inmate is imprisoned more than one revocation of release on parole

4 or mandatory supervision; or

5   (3) the panel determines that the inmate's release

6 will increase the likelihood of harm to the public.

7   SECTION 2. This Act takes effect September 1, 2003, and

8 applies to any inmate who on or after that date is serving a

9 sentence in the institutional division of the Texas Department of

10 Criminal Justice following revocation of release on parole or to

11 mandatory supervision, regardless of whether the revocation

12 occurred before, on, or after that date.