

By: Capelo

H.B. No. 3335

Substitute the following for H.B. No. 3335:

By: Alonzo

C.S.H.B. No. 3335

A BILL TO BE ENTITLED

AN ACT

1  
2 relating to the time allowed for disposition of certain charges  
3 regarding a violation of parole or other forms of release from  
4 prison.

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

6 SECTION 1. Section 508.281, Government Code, is amended by  
7 adding Subsection (c) to read as follows:

8 (c) A releasee or person may not receive more than one  
9 continuance of a hearing under this section.

10 SECTION 2. Sections 508.282(a) and (b), Government Code,  
11 are amended to read as follows:

12 (a) Except as provided by Subsection (b), a parole panel, a  
13 designee of the board, or the department shall dispose of the  
14 charges against an inmate or person described by Section  
15 508.281(a):

16 (1) before the 31st [~~61st~~] day after the date on which:

17 (A) a warrant issued as provided by Section  
18 508.251 is executed, if the inmate or person is arrested only on a  
19 charge that the inmate or person has committed an administrative  
20 violation of a condition of release, and the inmate or person is not  
21 charged before the 31st [~~61st~~] day with the commission of an offense  
22 described by Section 508.2811(2)(B); or

23 (B) the sheriff having custody of an inmate or  
24 person alleged to have committed an offense after release notifies

1 the department that:

2 (i) the inmate or person has discharged the  
3 sentence for the offense; or

4 (ii) the prosecution of the alleged offense  
5 has been dismissed by the attorney representing the state in the  
6 manner provided by Article 32.02, Code of Criminal Procedure; or

7 (2) within a reasonable time after the date on which  
8 the inmate or person is returned to the custody of the department,  
9 if:

10 (A) immediately before the return the inmate or  
11 person was in custody in another state or in a federal correctional  
12 system; or

13 (B) the inmate or person is transferred to the  
14 custody of the department under Section 508.284.

15 (b) A parole panel, a designee of the board, or the  
16 department is not required to dispose of the charges against an  
17 inmate or person within the period required by Subsection (a) if:

18 (1) the inmate or person is in custody in another state  
19 or a federal correctional institution;

20 (2) the parole panel or a designee of the board is not  
21 provided a place by the sheriff to hold the hearing, in which event  
22 the department, parole panel, or designee is not required to  
23 dispose of the charges against the inmate or person until the 30th  
24 [~~60th~~] day after the date on which the sheriff provides a place to  
25 hold the hearing; or

26 (3) the inmate or person is granted a continuance by a  
27 parole panel or a designee of the board in the inmate's or person's

1 hearing under Section 508.281(a), but in no event may a parole  
2 panel, a designee of the board, or the department dispose of the  
3 charges against the person later than the 7th [~~30th~~] day after the  
4 date on which the parole panel, designee, or department would  
5 otherwise be required to dispose of the charges under this section,  
6 unless the inmate or person is released from custody and a summons  
7 is issued under Section 508.251 requiring the inmate or person to  
8 appear for a hearing under Section 508.281.

9 SECTION 3. (a) This Act takes effect September 1, 2003.

10 (b) The change in law made by this Act applies only to:

11 (1) a person who although ineligible for release is  
12 released from the institutional division of the Texas Department of  
13 Criminal Justice on or after the effective date of this Act; and

14 (2) a person released on parole, mandatory  
15 supervision, or conditional pardon who, on or after the effective  
16 date of this Act, is accused of a violation of a condition of the  
17 person's release.

18 (c) A person improperly released or a person charged with an  
19 alleged violation occurring before the effective date of this Act  
20 is covered by the law in effect when the improper release or the  
21 alleged violation occurred, and the former law is continued in  
22 effect for that purpose.