

1-1 By: Ellis S.B. No. 601  
1-2 (In the Senate - Filed February 19, 2003; February 25, 2003,  
1-3 read first time and referred to Committee on Criminal Justice;  
1-4 March 31, 2003, reported favorably by the following vote: Yeas 4,  
1-5 Nays 2; March 31, 2003, sent to printer.)

1-6 A BILL TO BE ENTITLED  
1-7 AN ACT

1-8 relating to the authority of the governor to grant one or more  
1-9 reprieves in a capital case.

1-10 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

1-11 SECTION 1. Article 48.01, Code of Criminal Procedure, is  
1-12 amended to read as follows:

1-13 Art. 48.01. GOVERNOR MAY PARDON. In all criminal cases,  
1-14 except treason and impeachment, the Governor shall have power,  
1-15 after conviction, on the written signed recommendation and advice  
1-16 of the Board of Pardons and Paroles, or a majority thereof, to grant  
1-17 reprieves and commutations of punishments and pardons; and upon  
1-18 the written recommendation and advice of a majority of the Board of  
1-19 Pardons and Paroles, he shall have the power to remit fines and  
1-20 forfeitures. The Governor shall have the power to grant one or more  
1-21 reprieves [~~reprieve~~] in any capital case for a period not to exceed  
1-22 30 days for each reprieve; and he shall have power to revoke  
1-23 conditional pardons. With the advice and consent of the  
1-24 Legislature, the Governor may grant reprieves, commutations of  
1-25 punishment and pardons in cases of treason.

1-26 SECTION 2. This Act takes effect January 1, 2004, but only  
1-27 if the constitutional amendment proposed by the 78th Legislature,  
1-28 Regular Session, 2003, authorizing the governor to grant one or  
1-29 more reprieves in a capital case is approved by the voters. If that  
1-30 amendment is not approved by the voters, this Act has no effect.

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