

1-1 By: Whitmire S.B. No. 883  
1-2 (In the Senate - Filed March 5, 2003; March 11, 2003, read  
1-3 first time and referred to Committee on Criminal Justice;  
1-4 April 3, 2003, reported adversely, with favorable Committee  
1-5 Substitute by the following vote: Yeas 7, Nays 0; April 3, 2003,  
1-6 sent to printer.)

1-7 COMMITTEE SUBSTITUTE FOR S.B. No. 883 By: Whitmire

1-8 A BILL TO BE ENTITLED  
1-9 AN ACT

1-10 relating to information required to be placed in a pen packet  
1-11 accompanying a defendant on transfer from county jail to the Texas  
1-12 Department of Criminal Justice.

1-13 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

1-14 SECTION 1. Subsection (a), Section 8, Article 42.09, Code  
1-15 of Criminal Procedure, is amended to read as follows:

1-16 (a) A county that transfers a defendant to the Texas  
1-17 Department of Criminal Justice under this article shall deliver to  
1-18 an officer designated by the department:

1-19 (1) a copy of the judgment entered pursuant to Article  
1-20 42.01 of this code, completed on a standardized felony judgment  
1-21 form described by Section 4 of that article;

1-22 (2) a copy of any order revoking community supervision  
1-23 and imposing sentence pursuant to Section 23, Article 42.12, of  
1-24 this code, including:

1-25 (A) any amounts owed for restitution, fines, and  
1-26 court costs, completed on a standardized felony judgment form  
1-27 described by Section 4, Article 42.01, of this code; and

1-28 (B) a copy of the client supervision plan  
1-29 prepared for the defendant by the community supervision and  
1-30 corrections department supervising the defendant, if such a plan  
1-31 was prepared;

1-32 (3) a written report that states the nature and the  
1-33 seriousness of each offense and that states the citation to the  
1-34 provision or provisions of the Penal Code or other law under which  
1-35 the defendant was convicted;

1-36 (4) a copy of the victim impact statement, if one has  
1-37 been prepared in the case under Article 56.03 of this code;

1-38 (5) a statement as to whether there was a change in  
1-39 venue in the case and, if so, the names of the county prosecuting  
1-40 the offense and the county in which the case was tried;

1-41 (6) a copy of the record of arrest for each offense;

1-42 (7) if requested, information regarding the criminal  
1-43 history of the defendant, including the defendant's state  
1-44 identification number if the number has been issued;

1-45 (8) a copy of the indictment or information for each  
1-46 offense;

1-47 (9) a checklist sent by the department to the county  
1-48 and completed by the county in a manner indicating that the  
1-49 documents required by this subsection and Subsection (c) of this  
1-50 section accompany the defendant; ~~and~~

1-51 (10) if prepared, a copy of a presentence or  
1-52 postsentence investigation report prepared under Section 9,  
1-53 Article 42.12 of this code;

1-54 (11) a copy of any detainer, issued by an agency of the  
1-55 federal government, that is in the possession of the county and that  
1-56 has been placed on the defendant; and

1-57 (12) a written description of a hold or warrant,  
1-58 issued by any other jurisdiction, that the county is aware of and  
1-59 that has been placed on or issued for the defendant.

1-60 SECTION 2. This Act takes effect September 1, 2003, and  
1-61 applies to a defendant who is transferred from a county to the Texas  
1-62 Department of Criminal Justice on or after that date.

1-63 \* \* \* \* \*