

## **BILL ANALYSIS**

H.B. 488  
By: Guillen  
Corrections  
Committee Report (Unamended)

### **BACKGROUND AND PURPOSE**

Under current statute, crime victims of certain offenses are provided notification when the defendant is either released after completion of a sentence or, if applicable, immediately after the defendant has escaped from a correctional facility. H.B. 488 provides the same notification to the witnesses who testified against the defendant.

### **RULEMAKING AUTHORITY**

It is the committee's opinion that this bill does not expressly grant any additional rulemaking authority to a state officer, department, agency, or institution.

### **ANALYSIS**

H.B. 488 amends Article 56.11, Code of Criminal Procedure, to require that the Texas Department of Criminal Justice (TDCJ) provide notification to a witness when the defendant that the witness testified against is either released after completion of a sentence, after transfer from custody under a writ of attachment or bench warrant or, if applicable, immediately after the defendant has escaped from a correctional facility. TDCJ would also be required to give notice to local law enforcement officials in the county in which the victim or witness resides.

This article applies only to defendants convicted of certain offenses such as criminal homicide, kidnapping, trafficking of persons, sexual offenses, and assault that are under Title 5 of the Penal Code and punishable as a felony, as well as offenses involving family violence, stalking, or violation of a protective order or magistrates order.

H.B. 488 also requires the Texas Department of Criminal Justice to create and maintain a computerized database containing the release information and release date of a defendant described above. This database would allow a victim or witness entitled to notification to access the database via the Internet. Changes in this law made by this Act apply only to a defendant who is released or escapes on or after September 1, 2005.

### **EFFECTIVE DATE**

September 1, 2005