

BILL ANALYSIS

Senate Research Center
79R7447 MFC-D

S.B. 756
By: Ogden, Whitmire
Criminal Justice
4/4/2005
As Filed

AUTHOR'S/SPONSOR'S STATEMENT OF INTENT

Current Texas law requires local trial officials in the county where an inmate will reside upon release to be notified that the Board of Pardons and Paroles (board) has approved the inmate for parole at least 11 days before the board orders the inmate's release. During that period, the local trial officials are allowed to provide comment on the inmate's release. However, this notice and comment period can be better utilized before an inmate is considered for parole.

As proposed, S.B. 756 changes the notice procedure by removing the post consideration/pre release notification and replacing it with a procedure that will provide local officials with notice before parole consideration.

RULEMAKING AUTHORITY

This bill does not expressly grant any additional rulemaking authority to a state officer, institution, or agency.

SECTION BY SECTION ANALYSIS

SECTION 1. Amends Section 508.115(a), Government Code, to require the Parole Division of the Texas Department of Criminal Justice to notify the sheriffs, each chief of police, the prosecuting attorneys, and the district judges in the county in which the inmate was convicted and the county to which the inmate is released, that a parole panel is considering release on parole or the governor is considering clemency before, rather than not later than the 11th day before the date, a parole panel considers for release, rather than orders the release, on parole, of an inmate or not later than the 11th day after the date the board recommends the governor grant executive clemency.

SECTION 2. Makes application of this Act prospective.

SECTION 3. Effective date: September 1, 2005.