

BILL ANALYSIS

Senate Research Center
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C.S.S.B. 756
By: Ogden, Whitmire
Criminal Justice
4/7/2005
Committee Report (Substituted)

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.

C.S.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, by amending Subsection (a) and adding Subsection (a-1), as follows:

(a) Requires the Pardons and Paroles Division (division), before a parole panel considers an inmate for release on parole or medically recommended intensive supervision, 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 requests to be released, that a parole panel is considering release on parole or medically recommended intensive supervision and that the inmate may reside in that county on release. Requires the division to provide the notice required by this subsection to the county officials in the county in which the inmate is to be released if that county is not the county to which the defendant requested release.

(a-1) Requires the division, not later than the 11th day after the date the Board of Pardons and Paroles recommends that the governor grant executive clemency, to notify the sheriffs, each chief of police, the prosecuting attorneys, and the district judges in the county in which the inmate was convicted that the governor is considering clemency.

SECTION 2. Makes application of this Act prospective.

SECTION 3. Effective date: September 1, 2005.