

By: Turner

H.B. No. 2435

A BILL TO BE ENTITLED

AN ACT

1  
2 relating to ensuring cost savings in the operation of certain  
3 governmental entities that provide criminal justice and public  
4 safety services.

5 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

6 SECTION 1. (a) Notwithstanding any statute to the  
7 contrary, the legislature, in its discretion, may determine the  
8 amount of each appropriation of state funds. The amounts required  
9 by statute for entities that receive state funds under Article V of  
10 the General Appropriations Act, 79th Legislature, Regular Session,  
11 2005, may be reduced or eliminated in order to achieve a balanced  
12 budget.

13 (b) This section expires September 1, 2007.

14 SECTION 2. (a) This section applies to each public safety  
15 and criminal justice agency listed in Article V of the General  
16 Appropriations Act, 79th Legislature, Regular Session, 2005.

17 (b) Notwithstanding any other statute of this state, each  
18 state agency to which this section applies is authorized to reduce  
19 expenditures by:

20 (1) consolidating any reports or publications the  
21 agency is required to make and filing or delivering any of those  
22 reports or publications exclusively by electronic means;

23 (2) extending the effective period of any license,  
24 permit, or registration the agency grants or administers;

1           (3) entering into a contract with another governmental  
2 entity or with a private vendor to carry out any of the agency's  
3 duties;

4           (4) providing that any communication between the  
5 agency and another person and any document required to be delivered  
6 to or by the agency, including any application, notice, billing  
7 statement, receipt, or certificate, may be made or delivered by  
8 electronic mail or through the Internet; and

9           (5) adopting and collecting fees or charges to cover  
10 any costs the agency incurs in performing its lawful functions.

11           SECTION 3. Section 508.146(a), Government Code, is amended  
12 to read as follows:

13           (a) An inmate~~[7]~~ other than an inmate who is serving a  
14 sentence of death ~~[or an inmate who has a reportable conviction or~~  
15 ~~adjudication under Chapter 62, Code of Criminal Procedure,7]~~ may be  
16 released on medically recommended intensive supervision on a date  
17 designated by a parole panel described by Subsection (e), except  
18 that an inmate with an instant offense that is an offense described  
19 in Section 3g, Article 42.12, Code of Criminal Procedure, or an  
20 inmate who has a reportable conviction or adjudication under  
21 Chapter 62, Code of Criminal Procedure, may only be considered if a  
22 medical condition of terminal illness or long-term care has been  
23 diagnosed by a physician, if:

24           (1) the Texas Correctional Office on Offenders with  
25 Medical or Mental Impairments, in cooperation with the Correctional  
26 Managed Health Care Committee, identifies the inmate as being  
27 elderly, physically disabled, mentally ill, terminally ill, or

1 mentally retarded or having a condition requiring long-term care;

2 (2) the parole panel determines that, based on the  
3 inmate's condition and a medical evaluation, the inmate does not  
4 constitute a threat to public safety; and

5 (3) the Texas Correctional Office on Offenders with  
6 Medical or Mental Impairments, in cooperation with the pardons and  
7 paroles division, has prepared for the inmate a medically  
8 recommended intensive supervision plan that requires the inmate to  
9 submit to electronic monitoring, places the inmate on  
10 super-intensive supervision, or otherwise ensures appropriate  
11 supervision of the inmate.

12 SECTION 4. This Act takes effect immediately if it receives  
13 a vote of two-thirds of all the members elected to each house, as  
14 provided by Section 39, Article III, Texas Constitution. If this  
15 Act does not receive the vote necessary for immediate effect, this  
16 Act takes effect September 1, 2005.