

By: Haggerty

H.B. No. 2904

A BILL TO BE ENTITLED

AN ACT

1
2 relating to the eligibility of certain inmates of the Texas
3 Department of Criminal Justice for medically recommended intensive
4 supervision.

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

6 SECTION 1. Section 508.146(a), Government Code, is amended
7 to read as follows:

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

19 (1) the Texas Correctional Office on Offenders with
20 Medical or Mental Impairments, in cooperation with the Correctional
21 Managed Health Care Committee, identifies the inmate as being
22 elderly, physically disabled, mentally ill, terminally ill, or
23 mentally retarded or having a condition requiring long-term care;

24 (2) the parole panel determines that, based on the

1 inmate's condition and a medical evaluation, the inmate does not
2 constitute a threat to public safety; and

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

10 SECTION 2. This Act takes effect September 1, 2005.