

By: Ellis

S.B. No. 227

A BILL TO BE ENTITLED

1

AN ACT

2 relating to consideration by the Board of Pardons and Paroles of an
3 application for a pardon based on innocence.

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

5 SECTION 1. Chapter 48, Code of Criminal Procedure, is
6 amended by adding Article 48.011 to read as follows:

7 Art. 48.011. PARDONS FOR INNOCENCE. The Board of Pardons
8 and Paroles may not adopt a rule that prevents the board from using
9 its discretion to consider an application for a full pardon on the
10 grounds of innocence because a requirement for consideration
11 established by board rule has not been met.

12 SECTION 2. 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.