

By: Ellis

S.B. No. 548

A BILL TO BE ENTITLED

1 AN ACT

2 relating to the manner in which the Board of Pardons and Paroles  
3 performs duties related to clemency in capital cases.

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

5 SECTION 1. Section 508.047(b), Government Code, is amended  
6 to read as follows:

7 (b) The members of the board are not required to meet as a  
8 body to perform the members' duties in clemency matters, except in a  
9 capital case.

10 SECTION 2. Section 551.124, Government Code, is amended to  
11 read as follows:

12 Sec. 551.124. BOARD OF PARDONS AND PAROLES. At the call of  
13 the presiding officer of the Board of Pardons and Paroles, the board  
14 may hold a hearing on clemency matters, other than matters  
15 involving a capital case, by telephone conference call.

16 SECTION 3. The change in law made by this Act applies only  
17 to clemency duties performed by the Board of Pardons and Paroles on  
18 or after the effective date of this Act. Duties performed before  
19 the effective date of this Act are covered by the law in effect at  
20 the time the duties were performed, and the former law is continued  
21 in effect for that purpose.

22 SECTION 4. This Act takes effect immediately if it receives  
23 a vote of two-thirds of all the members elected to each house, as  
24 provided by Section 39, Article III, Texas Constitution. If this

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1 Act does not receive the vote necessary for immediate effect, this

2 Act takes effect September 1, 2005.