

1-1 By: Ogden S.B. No. 695
1-2 (In the Senate - Filed February 23, 2005; March 2, 2005,
1-3 read first time and referred to Committee on Criminal Justice;
1-4 March 30, 2005, reported favorably by the following vote: Yeas 5,
1-5 Nays 1; March 30, 2005, sent to printer.)

1-6 A BILL TO BE ENTITLED
1-7 AN ACT

1-8 relating to the forfeiture of good conduct time from inmates who
1-9 file frivolous applications for writ of habeas corpus.

1-10 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

1-11 SECTION 1. Subsection (a), Section 498.0045, Government
1-12 Code, is amended to read as follows:

1-13 (a) In this section, "final order" means a certified copy of
1-14 a final order of a state or federal court that dismisses as
1-15 frivolous or malicious a lawsuit, including a proceeding arising
1-16 from an application for writ of habeas corpus, brought by an inmate
1-17 while the inmate was in the custody of the department or confined in
1-18 county jail awaiting transfer to the department following
1-19 conviction of a felony or revocation of community supervision,
1-20 parole, or mandatory supervision.

1-21 SECTION 2. This Act applies only to a forfeiture of good
1-22 conduct time based on the filing in court of an application for writ
1-23 of habeas corpus on or after the effective date of this Act.

1-24 SECTION 3. This Act takes effect September 1, 2005.

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