

BILL ANALYSIS

H.B. 927
By: Haggerty
Corrections
Committee Report (Unamended)

BACKGROUND AND PURPOSE

Under the current “shock” probation law, the court’s jurisdiction to suspend further execution of the sentence and place the defendant on probation extends for 180 days from the date the execution of the sentence actually begins.

HB 927 expands that time period so that a judge may “shock” a defendant with a prison experience and then place the defendant on probation within two years of the sentence date. This would give the judge an option of releasing a prisoner to probation earlier than the prisoner may qualify for parole. It would also give the judge supervisory authority over the offender rather than that authority being given later to parole authorities.

RULEMAKING AUTHORITY

It is the committee's opinion that this bill does not expressly grant any additional rulemaking authority to a state officer, department, agency, or institution.

ANALYSIS

HB 927 amends the Code of Criminal Procedure to change the amount of time, for the purposes of Section 6(a), Article 42.12, Code of Criminal Procedure, that the jurisdiction of a court in which a sentence requiring imprisonment in the institutional division of the Texas Department of Criminal Justice is imposed by the judge of the court shall continue, from 180 days from the date the execution of the sentence actually begins to 2 years from the date the execution of the sentence actually begins.

HB 927 also changes the time by which the judge of the court that imposed such sentence may suspend further execution of the sentence and place the defendant on community supervision pursuant to certain conditions, from before the expiration of 180 days from the date the execution of the sentence actually begins to before the expiration of 2 years from the date the execution of the sentence actually begins.

EFFECTIVE DATE

September 1, 2007.