

BILL ANALYSIS

Senate Research Center
80R3445 HLT-D

S.B. 1563
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Criminal Justice
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As Filed

AUTHOR'S / SPONSOR'S STATEMENT OF INTENT

Currently, county jails are overcrowded with defendants awaiting a probation revocation hearing and possible transfer to a state facility (blue warrants). They are faced with these state inmates possibly being remanded to a county facility for an excessive period of time pending a parole hearing. The increase of the blue warrant population in many county jails has increased operating costs and contributed to an increase in the overall jail population.

As proposed, S.B. 1563 authorizes certain persons charged with certain violations of conditional release from the Texas Department of Criminal Justice to post bond pending a revocation hearing.

RULEMAKING AUTHORITY

This bill does not expressly grant any additional rulemaking authority to a state officer, institution, or agency.

SECTION BY SECTION ANALYSIS

SECTION 1. Amends Section 508.254(c), Government Code, to authorize a magistrate of the county in which a person is held in custody to release the person on bond pending the hearing if certain conditions set forth in this subsection are met. Provides that the provisions of Chapters 17 (Bail) and 22 (Forfeiture of Bail), Code of Criminal Procedure, apply to a person released under this subsection in the same manner as those provisions apply to a person released pending an appearance before a court or magistrate, except that the release under this subsection is conditioned on the person's appearance at a hearing under this subchapter (Warrants). Makes a conforming change.

SECTION 2. Amends Section 508.282(a), Government Code, to require a parole panel, a designee of the Board of Pardons and Paroles (board), or the Texas Department of Criminal Justice (TDCJ) to dispose of the charges against an inmate or person described by Section 508.281(a) (a releasee, a person released although ineligible for release, or a person granted a conditional pardon accused of a violation of the releasee's parole, mandatory supervision, or the person's conditional pardon, or arrested after an ineligible release) before the 10th day, rather than the 41st day, after a certain date as set forth in this subsection. Makes a conforming change.

SECTION 3. Amends Section 508.284, Government Code, to require, rather than authorize, TDCJ to authorize a facility otherwise required to detain and house an inmate or person to transfer the inmate or person to a correctional facility operated by TDCJ or under contract with TDCJ if the facility to which the inmate or person is to be transferred is located not more than 50, rather than 150, miles from the facility from which the inmate or person is to be transferred. Deletes existing text authorizing such transfer if TDCJ determines that adequate space is available in the facility to which the inmate or person is to be transferred.

SECTION 4. Makes application of this Act prospective.

SECTION 5. Effective date: September 1, 2007.