

By: Haggerty

H.B. No. 1512

A BILL TO BE ENTITLED

AN ACT

1
2 relating to the reduction or termination of the period of community
3 supervision imposed on a defendant.

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

5 SECTION 1. Section 20, Article 42.12, Code of Criminal
6 Procedure, is amended to read as follows:

7 Sec. 20. REDUCTION OR TERMINATION OF COMMUNITY SUPERVISION.

8 [~~(a)~~] At any time prior to the expiration of the term of community
9 supervision if in the judge's opinion the best interest of society
10 and the defendant will be served, [~~after the defendant has~~
11 ~~satisfactorily completed one-third of the original community~~
12 ~~supervision period or two years of community supervision, whichever~~
13 ~~is less,~~] the period of community supervision may be reduced or
14 terminated by the judge. Upon the satisfactory fulfillment of the
15 conditions of community supervision, and the expiration of the
16 period of community supervision, the judge, by order duly entered,
17 shall amend or modify the original sentence imposed, if necessary,
18 to conform to the community supervision period and shall discharge
19 the defendant. If the judge discharges the defendant under this
20 section, the judge may set aside the verdict or permit the defendant
21 to withdraw the defendant's [~~his~~] plea, and shall dismiss the
22 accusation, complaint, information or indictment against the
23 defendant, who shall thereafter be released from all penalties and
24 disabilities resulting from the offense or crime of which the

1 defendant [~~he~~] has been convicted or to which the defendant [~~he~~] has
2 pleaded guilty, except that:

3 (1) proof of the conviction or plea of guilty shall be
4 made known to the judge should the defendant again be convicted of
5 any criminal offense; and

6 (2) if the defendant is an applicant for a license or
7 is a licensee under Chapter 42, Human Resources Code, the Texas
8 Department of Family and Protective [~~Human~~] Services may consider
9 the fact that the defendant previously has received community
10 supervision under this article in issuing, renewing, denying, or
11 revoking a license under that chapter.

12 [~~(b) This section does not apply to a defendant convicted of~~
13 ~~an offense under Sections 49.04-49.08, Penal Code, a defendant~~
14 ~~convicted of an offense for which on conviction registration as a~~
15 ~~sex offender is required under Chapter 62, as added by Chapter 668,~~
16 ~~Acts of the 75th Legislature, Regular Session, 1997, or a defendant~~
17 ~~convicted of an offense punishable as a state jail felony.]~~

18 SECTION 2. The change in law made by this Act applies to a
19 defendant placed on community supervision for an offense committed
20 before, on, or after the effective date of this Act.

21 SECTION 3. This Act takes effect September 1, 2007.