

By: Madden

H.B. No. 2611

A BILL TO BE ENTITLED

AN ACT

1  
2 relating to the eligibility of certain inmates of the Texas  
3 Department of Criminal Justice for medically recommended intensive  
4 supervision.

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

6 SECTION 1. Section 508.146(a), Government Code, is amended  
7 to read as follows:

8 (a) An inmate~~[7]~~ other than an inmate who is serving a  
9 sentence of death or life without parole ~~[or an inmate who has a~~  
10 ~~reportable conviction or adjudication under Chapter 62, Code of~~  
11 ~~Criminal Procedure,]~~ may be released on medically recommended  
12 intensive supervision on a date designated by a parole panel  
13 described by Subsection (e), except that an inmate with an instant  
14 offense that is an offense described in Section 3g, Article 42.12,  
15 Code of Criminal Procedure, or an inmate who has a reportable  
16 conviction or adjudication under Chapter 62, Code of Criminal  
17 Procedure, may only be considered if a medical condition of  
18 terminal illness or long-term care has been diagnosed by a  
19 physician, if:

20 (1) the Texas Correctional Office on Offenders with  
21 Medical or Mental Impairments, in cooperation with the Correctional  
22 Managed Health Care Committee, identifies the inmate as being:

23 (A) elderly, physically disabled, mentally ill,  
24 terminally ill, or mentally retarded or having a condition

1 requiring long-term care, if the inmate is an inmate with an instant  
2 offense that is described in Section 3g, Article 42.12, Code of  
3 Criminal Procedure; or

4 (B) in a persistent vegetative state or being a  
5 person with an organic brain syndrome with significant to total  
6 mobility impairment, if the inmate is an inmate who has a reportable  
7 conviction or adjudication under Chapter 62, Code of Criminal  
8 Procedure;

9 (2) the parole panel determines that, based on the  
10 inmate's condition and a medical evaluation, the inmate does not  
11 constitute a threat to public safety; and

12 (3) the Texas Correctional Office on Offenders with  
13 Medical or Mental Impairments, in cooperation with the pardons and  
14 paroles division, has prepared for the inmate a medically  
15 recommended intensive supervision plan that requires the inmate to  
16 submit to electronic monitoring, places the inmate on  
17 super-intensive supervision, or otherwise ensures appropriate  
18 supervision of the inmate.

19 SECTION 2. This Act takes effect September 1, 2007.