

AN ACT

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

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

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

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

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

(A) elderly, physically disabled, mentally ill, 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.

President of the Senate

Speaker of the House

I certify that H.B. No. 2611 was passed by the House on April 12, 2007, by the following vote: Yeas 145, Nays 0, 1 present, not voting.

Chief Clerk of the House

I certify that H.B. No. 2611 was passed by the Senate on May 17, 2007, by the following vote: Yeas 31, Nays 0.

Secretary of the Senate

APPROVED: _____

Date

Governor