

1-1 By: Madden (Senate Sponsor - Whitmire) H.B. No. 2611  
1-2 (In the Senate - Received from the House April 16, 2007;  
1-3 April 17, 2007, read first time and referred to Committee on  
1-4 Criminal Justice; May 10, 2007, reported favorably by the  
1-5 following vote: Yeas 6, Nays 0; May 10, 2007, sent to printer.)

1-6 A BILL TO BE ENTITLED  
1-7 AN ACT

1-8 relating to the eligibility of certain inmates of the Texas  
1-9 Department of Criminal Justice for medically recommended intensive  
1-10 supervision.

1-11 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

1-12 SECTION 1. Section 508.146(a), Government Code, is amended  
1-13 to read as follows:

1-14 (a) An inmate~~[,]~~ other than an inmate who is serving a  
1-15 sentence of death or life without parole ~~[or an inmate who has a~~  
1-16 ~~reportable conviction or adjudication under Chapter 62, Code of~~  
1-17 ~~Criminal Procedure,]~~ may be released on medically recommended  
1-18 intensive supervision on a date designated by a parole panel  
1-19 described by Subsection (e), except that an inmate with an instant  
1-20 offense that is an offense described in Section 3g, Article 42.12,  
1-21 Code of Criminal Procedure, or an inmate who has a reportable  
1-22 conviction or adjudication under Chapter 62, Code of Criminal  
1-23 Procedure, may only be considered if a medical condition of  
1-24 terminal illness or long-term care has been diagnosed by a  
1-25 physician, if:

1-26 (1) the Texas Correctional Office on Offenders with  
1-27 Medical or Mental Impairments, in cooperation with the Correctional  
1-28 Managed Health Care Committee, identifies the inmate as being:

1-29 (A) elderly, physically disabled, mentally ill,  
1-30 terminally ill, or mentally retarded or having a condition  
1-31 requiring long-term care, if the inmate is an inmate with an instant  
1-32 offense that is described in Section 3g, Article 42.12, Code of  
1-33 Criminal Procedure; or

1-34 (B) in a persistent vegetative state or being a  
1-35 person with an organic brain syndrome with significant to total  
1-36 mobility impairment, if the inmate is an inmate who has a reportable  
1-37 conviction or adjudication under Chapter 62, Code of Criminal  
1-38 Procedure;

1-39 (2) the parole panel determines that, based on the  
1-40 inmate's condition and a medical evaluation, the inmate does not  
1-41 constitute a threat to public safety; and

1-42 (3) the Texas Correctional Office on Offenders with  
1-43 Medical or Mental Impairments, in cooperation with the pardons and  
1-44 paroles division, has prepared for the inmate a medically  
1-45 recommended intensive supervision plan that requires the inmate to  
1-46 submit to electronic monitoring, places the inmate on  
1-47 super-intensive supervision, or otherwise ensures appropriate  
1-48 supervision of the inmate.

1-49 SECTION 2. This Act takes effect September 1, 2007.

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