

By: Janek

S.B. No. 784

A BILL TO BE ENTITLED

AN ACT

1  
2 relating to the notice provided to certain crime victims before the  
3 release of certain defendants.

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

5 SECTION 1. Subchapter A, Chapter 56, Code of Criminal  
6 Procedure, is amended by adding Article 56.15 to read as follows:

7 Art. 56.15. VICTIM'S RIGHT TO REQUEST PHOTOGRAPH BEFORE  
8 DEFENDANT'S RELEASE. (a) Not later than the seventh day before the  
9 date a defendant is released on parole or mandatory supervision or  
10 completes the defendant's sentence and is released, the Texas  
11 Department of Criminal Justice or the sheriff, whichever has  
12 custody of the defendant, shall provide to the victim, the guardian  
13 of the victim, or a close relative of a deceased victim a current  
14 photograph of the defendant if the victim, guardian, or relative  
15 requests the photograph in accordance with this article.

16 (b) This article applies to a person convicted of:

17 (1) an offense under Title 5 or 6, Penal Code; or

18 (2) an offense that is not described by Subdivision  
19 (1) and that involves family violence, stalking, or violation of a  
20 protective order or magistrate's order.

21 (c) It is the responsibility of a victim, guardian of a  
22 victim, or close relative of a deceased victim that desires a  
23 current photograph of a defendant before the defendant is released  
24 in a manner described by Subsection (a) to provide the Texas

1 Department of Criminal Justice or the sheriff, as appropriate, with  
2 the address of the victim or other person through whom the victim  
3 may be contacted and to notify the department or the sheriff of any  
4 change of address of the victim or other person. Information  
5 obtained and maintained by the Texas Department of Criminal Justice  
6 or a sheriff under this subsection is privileged and confidential.

7 (d) In this article:

8 (1) "Current photograph" means a photograph of the  
9 defendant taken not earlier than the 30th day before the date the  
10 defendant is released.

11 (2) "Family violence" has the meaning assigned by  
12 Section 71.004, Family Code.

13 SECTION 2. Article 56.15, Code of Criminal Procedure, as  
14 added by this Act, applies only to the release of a defendant that  
15 occurs on or after the effective date of this Act.

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