

1-1 By: Hegar S.B. No. 1129
1-2 (In the Senate - Filed March 5, 2007; March 14, 2007, read
1-3 first time and referred to Committee on Criminal Justice;
1-4 April 26, 2007, reported favorably by the following vote: Yeas 5,
1-5 Nays 0; April 26, 2007, sent to printer.)

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

1-8 relating to information included in the judgment in a criminal
1-9 case.

1-10 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

1-11 SECTION 1. Section 1, Article 42.01, Code of Criminal
1-12 Procedure, is amended to read as follows:

1-13 Sec. 1. A judgment is the written declaration of the court
1-14 signed by the trial judge and entered of record showing the
1-15 conviction or acquittal of the defendant. The sentence served
1-16 shall be based on the information contained in the judgment. The
1-17 judgment shall reflect:

1-18 1. The title and number of the case;

1-19 2. That the case was called and the parties appeared, naming
1-20 the attorney for the state, the defendant, and the attorney for the
1-21 defendant, or, where a defendant is not represented by counsel,
1-22 that the defendant knowingly, intelligently, and voluntarily
1-23 waived the right to representation by counsel;

1-24 3. The plea or pleas of the defendant to the offense
1-25 charged;

1-26 4. Whether the case was tried before a jury or a jury was
1-27 waived;

1-28 5. The submission of the evidence, if any;

1-29 6. In cases tried before a jury that the jury was charged by
1-30 the court;

1-31 7. The verdict or verdicts of the jury or the finding or
1-32 findings of the court;

1-33 8. In the event of a conviction that the defendant is
1-34 adjudged guilty of the offense as found by the verdict of the jury
1-35 or the finding of the court, and that the defendant be punished in
1-36 accordance with the jury's verdict or the court's finding as to the
1-37 proper punishment;

1-38 9. In the event of conviction where death or any punishment
1-39 is assessed that the defendant be sentenced to death, a term of
1-40 confinement or community supervision, or to pay a fine, as the case
1-41 may be;

1-42 10. In the event of conviction where the imposition of
1-43 sentence is suspended and the defendant is placed on community
1-44 supervision, setting forth the punishment assessed, the length of
1-45 community supervision, and the conditions of community
1-46 supervision;

1-47 11. In the event of acquittal that the defendant be
1-48 discharged;

1-49 12. The county and court in which the case was tried and, if
1-50 there was a change of venue in the case, the name of the county in
1-51 which the prosecution was originated;

1-52 13. The offense or offenses for which the defendant was
1-53 convicted;

1-54 14. The date of the offense or offenses and degree of
1-55 offense for which the defendant was convicted;

1-56 15. The term of sentence;

1-57 16. The date judgment is entered;

1-58 17. The date sentence is imposed;

1-59 18. The date sentence is to commence and any credit for time
1-60 served;

1-61 19. The terms of any order entered pursuant to Article 42.08
1-62 of this code that the defendant's sentence is to run cumulatively or
1-63 concurrently with another sentence or sentences;

1-64 20. The terms of any plea bargain;

21. Affirmative findings entered pursuant to Subdivision (2) of Subsection (a) of Section 3g of Article 42.12 of this code;

22. The terms of any fee payment ordered under Article 42.151 of this code;

23. The defendant's thumbprint taken in accordance with Article 38.33 of this code;

24. In the event that the judge orders the defendant to repay a reward or part of a reward under Articles 37.073 and 42.152 of this code, a statement of the amount of the payment or payments required to be made;

25. In the event that the court orders restitution to be paid to the victim, a statement of the amount of restitution ordered and:

(A) the name of the victim and the permanent mailing address of the victim at the time of the judgment; or

(B) if the court determines that the inclusion of the victim's name and address in the judgment is not in the best interest of the victim, the name and address of a person or agency that will accept and forward restitution payments to the victim;

26. In the event that a presentence investigation is required by Section 9(a), (b), (h), or (i), Article 42.12 of this code, a statement that the presentence investigation was done according to the applicable provision;

27. In the event of conviction of an offense for which registration as a sex offender is required under Chapter 62, a statement that the registration requirement of that chapter applies to the defendant and a statement of the age of the victim of the offense;

28. The defendant's state identification number required by Section 60.052(a)(2), if that number has been assigned at the time of the judgment; ~~and~~

29. The incident number required by Section 60.052(a)(4), if that number has been assigned at the time of the judgment;

30. If available, the defendant's driver's license number or personal identification certificate number issued by:

(A) the Department of Public Safety; or

(B) the equivalent agency in another state; and

31. The defendant's date of birth.

SECTION 2. The change in law made by this Act applies only to a judgment in a criminal case entered on or after the effective date of this Act.

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

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