

BILL ANALYSIS

H.B. 1003
By: Bolton
Criminal Jurisprudence
Committee Report (Unamended)

BACKGROUND AND PURPOSE

Victims of offenses against the person, such as sexual or physical assault and kidnapping, often live in constant fear of the whereabouts of their attackers. Knowledge of the status of an offender, such as when the offender is released from prison, may help the victim take the appropriate steps to ensure the victim's safety.

Current law authorizes the victim of a crime to be notified of an inmate's escape or release from incarceration. H.B. 963, enacted by the 80th Legislature, Regular Session, 2007, extended the option of notification on an inmate's release or escape to witnesses who testified against the defendant in certain kinds of cases.

H.B. 1003 extends this victim and witness notification to include notification when an inmate or defendant convicted of certain offenses and subject to electronic monitoring as a condition of release ceases to be monitored electronically.

RULEMAKING AUTHORITY

It is the committee's opinion that this bill does not expressly grant any additional rulemaking authority to a state officer, department, agency, or institution.

ANALYSIS

H.B. 1003 amends the Code of Criminal Procedure to require the Texas Department of Criminal Justice, in the case of an inmate released on parole or to mandatory supervision following a term of imprisonment for an offense to which victim and witness notification requirements apply, to notify a victim of the offense or a witness who testified against the defendant at the trial of the offense, other than a witness who testified in the course and scope of the witness's official or professional duties, whenever the inmate, if subject to electronic monitoring as a condition of release, ceases to be electronically monitored. The bill requires a community supervision and corrections department supervising a defendant, in the case of a defendant convicted of an offense to which victim and witness notification requirements apply and who is subsequently released on community supervision, to provide the same notification whenever the defendant, if subject to electronic monitoring as a condition of release, ceases to be electronically monitored.

EFFECTIVE DATE

September 1, 2009.