

1-1 By: Madden, McReynolds, Marquez H.B. No. 2289
1-2 (Senate Sponsor - Whitmire)
1-3 (In the Senate - Received from the House April 29, 2009;
1-4 May 1, 2009, read first time and referred to Committee on Criminal
1-5 Justice; May 14, 2009, reported favorably by the following vote:
1-6 Yeas 7, Nays 0; May 14, 2009, sent to printer.)

1-7 A BILL TO BE ENTITLED
1-8 AN ACT

1-9 relating to discharging or releasing inmates from the Texas
1-10 Department of Criminal Justice at or near certain department
1-11 facilities.

1-12 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

1-13 SECTION 1. Chapter 493, Government Code, is amended by
1-14 adding Section 493.029 to read as follows:

1-15 Sec. 493.029. LOCAL AND REGIONAL RELEASE AND DISCHARGE
1-16 PROCEDURE. (a) The department shall establish a procedure through
1-17 which an inmate being discharged from the department or being
1-18 released on parole or to mandatory supervision is discharged or
1-19 released, as applicable, from:

1-20 (1) the facility in which the inmate is serving the
1-21 inmate's sentence; or

1-22 (2) the facility designated as a regional release
1-23 facility under Subsection (b) that is nearest to the facility in
1-24 which the inmate is serving the inmate's sentence.

1-25 (b) The department shall designate six or more facilities
1-26 operated by the department as regional release facilities from
1-27 which an inmate being discharged from the department or being
1-28 released on parole or to mandatory supervision may be discharged or
1-29 released, as applicable, rather than being released under
1-30 Subsection (a)(1). If the department determines that discharging
1-31 or releasing an inmate under Subsection (a) is not in the best
1-32 interest of the inmate or would threaten the safety of the public,
1-33 the department may release the inmate from a regional release
1-34 facility designated under this subsection other than the facility
1-35 described by Subsection (a)(2).

1-36 SECTION 2. The Texas Department of Criminal Justice shall
1-37 establish and implement the local and regional discharge and
1-38 release procedure required by Section 493.029, Government Code, as
1-39 added by this Act, as soon as possible after September 1, 2009, and
1-40 in no event later than September 1, 2010.

1-41 SECTION 3. This Act takes effect September 1, 2009.

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