

AN ACT

relating to the documents that are required for the transfer of a defendant from a county to the Texas Department of Criminal Justice.

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

SECTION 1. Section 8(a), Article 42.09, Code of Criminal Procedure, is amended to read as follows:

(a) A county that transfers a defendant to the Texas Department of Criminal Justice under this article shall deliver to an officer designated by the department:

(1) a copy of the judgment entered pursuant to Article 42.01 [~~of this code~~], completed on a standardized felony judgment form described by Section 4 of that article;

(2) a copy of any order revoking community supervision and imposing sentence pursuant to Section 23, Article 42.12 [~~of this code~~], including:

(A) any amounts owed for restitution, fines, and court costs, completed on a standardized felony judgment form described by Section 4, Article 42.01 [~~of this code~~]; and

(B) a copy of the client supervision plan prepared for the defendant by the community supervision and corrections department supervising the defendant, if such a plan was prepared;

(3) a written report that states the nature and the

1 seriousness of each offense and that states the citation to the
2 provision or provisions of the Penal Code or other law under which
3 the defendant was convicted;

4 (4) a copy of the victim impact statement, if one has
5 been prepared in the case under Article 56.03 ~~[of this code]~~;

6 (5) a statement as to whether there was a change in
7 venue in the case and, if so, the names of the county prosecuting
8 the offense and the county in which the case was tried;

9 ~~(6) [a copy of the record of arrest for each offense;~~

10 ~~(7)]~~ if requested, information regarding the
11 criminal history of the defendant, including the defendant's state
12 identification number if the number has been issued;

13 (7) ~~[(8)]~~ a copy of the indictment or information for
14 each offense;

15 (8) ~~[(9)]~~ a checklist sent by the department to the
16 county and completed by the county in a manner indicating that the
17 documents required by this subsection and Subsection (c) ~~[of this~~
18 ~~section]~~ accompany the defendant;

19 (9) ~~[(10)]~~ if prepared, a copy of a presentence or
20 postsentence investigation report prepared under Section 9,
21 Article 42.12 ~~[of this code]~~;

22 (10) ~~[(11)]~~ a copy of any detainer, issued by an
23 agency of the federal government, that is in the possession of the
24 county and that has been placed on the defendant;

25 (11) ~~[(12)]~~ if prepared, a copy of the defendant's
26 Texas Uniform Health Status Update Form; and

27 (12) ~~[(13)]~~ a written description of a hold or

1 warrant, issued by any other jurisdiction, that the county is aware
2 of and that has been placed on or issued for the defendant.

3 SECTION 2. This Act takes effect September 1, 2009.

President of the Senate

Speaker of the House

I certify that H.B. No. 3671 was passed by the House on May 6, 2009, by the following vote: Yeas 145, Nays 0, 2 present, not voting.

Chief Clerk of the House

I certify that H.B. No. 3671 was passed by the Senate on May 26, 2009, by the following vote: Yeas 31, Nays 0.

Secretary of the Senate

APPROVED: _____

Date

Governor