

By: Sheffield

H.B. No. 3671

A BILL TO BE ENTITLED

AN ACT

1
2 relating to the documents that are required for the transfer of a
3 defendant from a county to the Texas Department of Criminal
4 Justice.

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

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

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

11 (1) a copy of the judgment entered pursuant to Article
12 42.01 [~~of this code~~], completed on a standardized felony judgment
13 form described by Section 4 of that article;

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

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

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

24 (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.