

1-1 By: Sheffield (Senate Sponsor - Hegar) H.B. No. 3671  
1-2 (In the Senate - Received from the House May 7, 2009;  
1-3 May 8, 2009, read first time and referred to Committee on Criminal  
1-4 Justice; May 20, 2009, reported favorably by the following vote:  
1-5 Yeas 6, Nays 0; May 20, 2009, sent to printer.)

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

1-8 relating to the documents that are required for the transfer of a  
1-9 defendant from a county to the Texas Department of Criminal  
1-10 Justice.

1-11 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

1-12 SECTION 1. Section 8(a), Article 42.09, Code of Criminal  
1-13 Procedure, is amended to read as follows:

1-14 (a) A county that transfers a defendant to the Texas  
1-15 Department of Criminal Justice under this article shall deliver to  
1-16 an officer designated by the department:

1-17 (1) a copy of the judgment entered pursuant to Article  
1-18 42.01 [~~of this code~~], completed on a standardized felony judgment  
1-19 form described by Section 4 of that article;

1-20 (2) a copy of any order revoking community supervision  
1-21 and imposing sentence pursuant to Section 23, Article 42.12[~~, of~~  
1-22 ~~this code~~], including:

1-23 (A) any amounts owed for restitution, fines, and  
1-24 court costs, completed on a standardized felony judgment form  
1-25 described by Section 4, Article 42.01[~~, of this code~~]; and

1-26 (B) a copy of the client supervision plan  
1-27 prepared for the defendant by the community supervision and  
1-28 corrections department supervising the defendant, if such a plan  
1-29 was prepared;

1-30 (3) a written report that states the nature and the  
1-31 seriousness of each offense and that states the citation to the  
1-32 provision or provisions of the Penal Code or other law under which  
1-33 the defendant was convicted;

1-34 (4) a copy of the victim impact statement, if one has  
1-35 been prepared in the case under Article 56.03 [~~of this code~~];

1-36 (5) a statement as to whether there was a change in  
1-37 venue in the case and, if so, the names of the county prosecuting  
1-38 the offense and the county in which the case was tried;

1-39 (6) [~~a copy of the record of arrest for each offense,~~  
1-40 ~~(7)~~] if requested, information regarding the  
1-41 criminal history of the defendant, including the defendant's state  
1-42 identification number if the number has been issued;

1-43 (7) [~~(8)~~] a copy of the indictment or information for  
1-44 each offense;

1-45 (8) [~~(9)~~] a checklist sent by the department to the  
1-46 county and completed by the county in a manner indicating that the  
1-47 documents required by this subsection and Subsection (c) [~~of this~~  
1-48 ~~section~~] accompany the defendant;

1-49 (9) [~~(10)~~] if prepared, a copy of a presentence or  
1-50 postsentence investigation report prepared under Section 9,  
1-51 Article 42.12 [~~of this code~~];

1-52 (10) [~~(11)~~] a copy of any detainer, issued by an  
1-53 agency of the federal government, that is in the possession of the  
1-54 county and that has been placed on the defendant;

1-55 (11) [~~(12)~~] if prepared, a copy of the defendant's  
1-56 Texas Uniform Health Status Update Form; and

1-57 (12) [~~(13)~~] a written description of a hold or  
1-58 warrant, issued by any other jurisdiction, that the county is aware  
1-59 of and that has been placed on or issued for the defendant.

1-60 SECTION 2. This Act takes effect September 1, 2009.

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