

By: Corte

H.B. No. 4129

A BILL TO BE ENTITLED

AN ACT

1
2 relating to the computation of the portion of a person's sentence
3 remaining after the revocation of the person's parole, mandatory
4 supervision, or conditional pardon.

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

6 SECTION 1. Sections 508.283(b), (c), and (d), Government
7 Code, are amended to read as follows:

8 (b) If the parole, mandatory supervision, or conditional
9 pardon of a person charged only with an administrative violation of
10 a condition of release [~~described by Section 508.149(a)~~] is
11 revoked, the person may be required to serve the remaining portion
12 of the sentence on which the person was released. The remaining
13 portion is computed:

14 (1) with [~~without~~] credit for the amount of time from
15 the date of the person's release to the date of issuance of the
16 warrant or citation; and

17 (2) without credit for the amount of time from the date
18 of issuance of the warrant or citation to the date of revocation.

19 (c) If the parole, mandatory supervision, or conditional
20 pardon of a person other than a person described by Subsection (b)
21 [~~Section 508.149(a)~~] is revoked, the person may be required to
22 serve the remaining portion of the sentence on which the person was
23 released. The [~~For a person who on the date of issuance of a warrant~~
24 ~~or summons initiating the revocation process is subject to a~~

1 ~~sentence the remaining portion of which is greater than the amount~~
2 ~~of time from the date of the person's release to the date of~~
3 ~~issuance of the warrant or summons, the] remaining portion is~~
4 computed ~~[to be served]~~ without credit for the time from the date of
5 the person's release to the date of revocation. ~~[For a person who~~
6 ~~on the date of issuance of the warrant or summons is subject to a~~
7 ~~sentence the remaining portion of which is less than the amount of~~
8 ~~time from the date of the person's release to the date of issuance~~
9 ~~of the warrant or summons, the remaining portion is to be served~~
10 ~~without credit for an amount of time equal to the remaining portion~~
11 ~~of the sentence on the date of issuance of the warrant or citation].~~

12 (d) If a warrant is issued charging a violation of a release
13 condition or a summons is issued for a hearing under Section
14 508.281, the sentence time credit may be suspended until a
15 determination is made in the case. The suspended time credit shall
16 ~~may~~ be reinstated if the parole, mandatory supervision, or
17 conditional pardon is continued.

18 SECTION 2. Section 508.283, Government Code, as amended by
19 this Act, applies to the calculation of the remaining sentence for
20 an inmate whose parole, mandatory supervision, or conditional
21 pardon is revoked on or after September 1, 2009, regardless of when
22 the person was released on parole, to mandatory supervision, or on
23 conditional pardon.

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