

By: Hegar

S.B. No. 1847

A BILL TO BE ENTITLED

AN ACT

relating to the provision of services to a wrongfully imprisoned person who is discharged from a correctional facility.

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

SECTION 1. Subchapter C, Chapter 501, Government Code, is amended by adding Section 501.091 to read as follows:

Sec. 501.091. PROGRAMS AND SERVICES FOR WRONGFULLY IMPRISONED PERSONS WHO ARE DISCHARGED. (a) In this section, "wrongfully imprisoned person" means a person who:

(1) has served in whole or in part a sentence in a facility operated by or under contract with the department; and

(2) has:

(A) received a pardon for innocence for the crime for which the person was sentenced; or

(B) otherwise been granted relief on the basis of actual innocence of the crime for which the person was sentenced.

(b) The department shall ensure that the same programs and services that are available to or in which participation is mandatory for an inmate released on parole or to mandatory supervision, including programs and services offered or required under Subchapter F or G of Chapter 508, are available to a wrongfully imprisoned person when the person is discharged from the department.

(c) The executive director of the department may:

1           (1) adopt rules as necessary to implement this  
2 section; and

3           (2) direct the director of the Texas Correctional  
4 Office on Offenders with Medical or Mental Impairments to take any  
5 actions necessary to implement this section.

6           SECTION 2. This Act takes effect immediately if it receives  
7 a vote of two-thirds of all the members elected to each house, as  
8 provided by Section 39, Article III, Texas Constitution. If this  
9 Act does not receive the vote necessary for immediate effect, this  
10 Act takes effect September 1, 2009.