

1-1 By: Hegar S.B. No. 1847
1-2 (In the Senate - Filed March 11, 2009; March 20, 2009, read
1-3 first time and referred to Committee on Criminal Justice;
1-4 April 1, 2009, reported favorably by the following vote: Yeas 7,
1-5 Nays 0; April 1, 2009, sent to printer.)

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

1-8 relating to the provision of services to a wrongfully imprisoned
1-9 person who is discharged from a correctional facility.

1-10 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

1-11 SECTION 1. Subchapter C, Chapter 501, Government Code, is
1-12 amended by adding Section 501.091 to read as follows:

1-13 Sec. 501.091. PROGRAMS AND SERVICES FOR WRONGFULLY
1-14 IMPRISONED PERSONS WHO ARE DISCHARGED. (a) In this section,
1-15 "wrongfully imprisoned person" means a person who:

1-16 (1) has served in whole or in part a sentence in a
1-17 facility operated by or under contract with the department; and

1-18 (2) has:

1-19 (A) received a pardon for innocence for the crime
1-20 for which the person was sentenced; or

1-21 (B) otherwise been granted relief on the basis of
1-22 actual innocence of the crime for which the person was sentenced.

1-23 (b) The department shall ensure that the same programs and
1-24 services that are available to or in which participation is
1-25 mandatory for an inmate released on parole or to mandatory
1-26 supervision, including programs and services offered or required
1-27 under Subchapter F or G of Chapter 508, are available to a
1-28 wrongfully imprisoned person when the person is discharged from the
1-29 department.

1-30 (c) The executive director of the department may:

1-31 (1) adopt rules as necessary to implement this
1-32 section; and

1-33 (2) direct the director of the Texas Correctional
1-34 Office on Offenders with Medical or Mental Impairments to take any
1-35 actions necessary to implement this section.

1-36 SECTION 2. This Act takes effect immediately if it receives
1-37 a vote of two-thirds of all the members elected to each house, as
1-38 provided by Section 39, Article III, Texas Constitution. If this
1-39 Act does not receive the vote necessary for immediate effect, this
1-40 Act takes effect September 1, 2009.

1-41 * * * * *