

1-1 By: Workman, et al. (Senate Sponsor - Huffman) H.B. No. 2124
1-2 (In the Senate - Received from the House April 7, 2011;
1-3 April 20, 2011, read first time and referred to Committee on
1-4 Criminal Justice; May 21, 2011, reported favorably by the
1-5 following vote: Yeas 6, Nays 0; May 21, 2011, sent to printer.)

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

1-8 relating to victim notification regarding the release of a
1-9 defendant who was acquitted by reason of insanity in a criminal
1-10 case.

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

1-12 SECTION 1. Section 4(d)(8), Article 46.03, Code of Criminal
1-13 Procedure, is transferred to Subchapter A, Chapter 46C, Code of
1-14 Criminal Procedure, redesignated as Article 46C.003, Code of
1-15 Criminal Procedure, and amended to read as follows:

1-16 Art. 46C.003. VICTIM NOTIFICATION OF RELEASE [~~(8) Victim~~
1-17 ~~Notification of Release~~]. If the court issues an order [~~under~~
1-18 ~~Subdivision (4) or (5)~~] that requires the release of an acquitted
1-19 person on discharge or on a regimen of outpatient care, the clerk of
1-20 the court issuing the order, using the information provided on any
1-21 victim impact statement received by the court under Article 56.03
1-22 or other information made available to the court, shall [~~provide~~
1-23 ~~name, address, and phone number information to the Texas Department~~
1-24 ~~of Criminal Justice victim services division to enable the division~~
1-25 ~~to~~] notify the victim or the victim's guardian or close relative of
1-26 the release. [~~The victim services division shall notify any victim~~
1-27 ~~or guardian or close relative named in the victim impact statement~~
1-28 ~~or other information.~~] Notwithstanding Article 56.03(f), the
1-29 clerk of the court may inspect a victim impact statement for the
1-30 purpose of notification under this article [~~subdivision~~].

1-31 SECTION 2. This Act takes effect immediately if it receives
1-32 a vote of two-thirds of all the members elected to each house, as
1-33 provided by Section 39, Article III, Texas Constitution. If this
1-34 Act does not receive the vote necessary for immediate effect, this
1-35 Act takes effect September 1, 2011.

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