

1-1 By: Madden (Senate Sponsor - Williams) H.B. No. 2734
1-2 (In the Senate - Received from the House April 26, 2011;
1-3 April 29, 2011, read first time and referred to Committee on
1-4 Transportation and Homeland Security; May 20, 2011, reported
1-5 favorably by the following vote: Yeas 9, Nays 0; May 20, 2011, sent
1-6 to printer.)

1-7 A BILL TO BE ENTITLED
1-8 AN ACT

1-9 relating to certain mandatory conditions of parole or mandatory
1-10 supervision for illegal criminal aliens and the revocation of
1-11 parole or mandatory supervision as a result of violating those
1-12 conditions.

1-13 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

1-14 SECTION 1. Subchapter F, Chapter 508, Government Code, is
1-15 amended by adding Section 508.192 to read as follows:

1-16 Sec. 508.192. REENTRY INTO THE UNITED STATES PROHIBITED.

1-17 (a) In this section, "illegal criminal alien" has the meaning
1-18 assigned by Section 493.015.

1-19 (b) A parole panel shall require as a condition of parole or
1-20 mandatory supervision that an illegal criminal alien released to
1-21 the custody of United States Immigration and Customs Enforcement:

1-22 (1) regardless of whether a final order of deportation
1-23 is issued with reference to the illegal criminal alien, leave the
1-24 United States as soon as possible after release; and

1-25 (2) not unlawfully return to or unlawfully reenter the
1-26 United States in violation of the Immigration Reform and Control
1-27 Act of 1986 (8 U.S.C. Section 1101 et seq.).

1-28 SECTION 2. Section 508.281, Government Code, is amended by
1-29 adding Subsection (d) to read as follows:

1-30 (d) If a parole panel or designated agent of the board
1-31 determines that a releasee has violated a condition of release
1-32 required under Section 508.192 and confirms the violation with a
1-33 peace officer or other law enforcement officer of this state who is
1-34 authorized under federal law to verify a person's immigration
1-35 status or, in accordance with 8 U.S.C. Section 1373(c), with a
1-36 federal law enforcement officer, the determination is considered to
1-37 be a sufficient hearing to revoke the parole or mandatory
1-38 supervision without further hearing or determination, except that
1-39 the parole panel or designated agent shall conduct a hearing to
1-40 consider mitigating circumstances, if requested by the releasee.

1-41 SECTION 3. Section 508.192, Government Code, as added by
1-42 this Act, applies only to a person who is released on parole or to
1-43 mandatory supervision on or after the effective date of this Act.

1-44 SECTION 4. This Act takes effect September 1, 2011.

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