

BILL ANALYSIS

H.B. 990
By: Thompson, Senfronia
Criminal Jurisprudence
Committee Report (Unamended)

BACKGROUND AND PURPOSE

Interested parties report that Texas spends approximately \$2.5 billion per fiscal year on incarceration and that the state's sentencing laws have not been evaluated in nearly a decade. According to a recent report by the Legislative Budget Board, nearly half of all states, as well as the District of Columbia and the federal government, have established sentencing commissions tasked with reviewing sentencing policies to ensure the relevancy and uniformity of criminal sentences, align punishments with crimes, and identify strategies to increase diversion and eliminate wasteful spending in strained budgets. The interested parties assert that establishing a sentencing commission in Texas will help ensure the integrity of the criminal justice system, promote fairness and equity in the administration of justice, protect public resources, and increase public safety. H.B. 990 seeks to address these issues by creating the Texas Sentencing Policy, Accountability, and Review Council.

RULEMAKING AUTHORITY

It is the committee's opinion that this bill does not expressly grant any additional rulemaking authority to a state officer, department, agency, or institution.

ANALYSIS

H.B. 990 amends the Code of Criminal Procedure to create the Texas Sentencing Policy, Accountability, and Review Council to develop means to promote a more balanced and cost-effective state criminal justice system. The bill provides for the appointment, composition, and reimbursement of the council and establishes that a member of the council serves without compensation.

H.B. 990 requires the council to conduct an in-depth analysis of sentencing practices used throughout the state criminal justice system; to identify disparities between the severity of offenses and their prescribed penalties and determine appropriate adjustments; to ascertain other means by which to enhance consistency and reduce disparity in sentencing; to compare community supervision, parole, and sentencing terms in Texas to terms in other states; to determine means by which to balance state and county criminal justice responsibilities with resources; and to devise an approach that would allow the state to balance sentencing policies with correctional resources. The bill requires the council to submit a detailed report of its findings and recommendations, including any proposed legislation, to the legislature and establishes an initial report deadline and deadlines regarding the initial and subsequent appointments to the council. The bill authorizes the council to contract with an appropriate governmental or nongovernmental entity for the purpose of completing the report.

EFFECTIVE DATE

On passage, or, if the bill does not receive the necessary vote, September 1, 2013.