

AN ACT

relating to reconsideration of parole eligibility for certain inmates convicted of injury to a child, elderly person, or disabled person.

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

SECTION 1. This Act may be cited as Emma's Law.

SECTION 2. Section 508.141, Government Code, is amended by amending Subsection (g) and adding Subsection (g-1) to read as follows:

(g) The board shall adopt a policy establishing the date on which the board may reconsider for release an inmate who has previously been denied release. The policy must require the board to reconsider for release:

(1) an inmate serving a sentence for an offense listed in Section 508.149(a) or for an offense punishable as a felony of the second or third degree under Section 22.04, Penal Code, during a month designated under Subsection (g-1) by the parole panel that denied release; and

(2) an inmate other than an inmate described by Subdivision (1) as soon as practicable after the first anniversary of the date of the denial.

(g-1) The ~~designated~~ month designated under Subsection (g)(1) by the parole panel that denied release must begin after the first anniversary of the date of the denial and end before the fifth

1 anniversary of the date of the denial. [~~The policy must require the~~  
2 ~~board to reconsider for release an inmate other than an inmate~~  
3 ~~serving a sentence for an offense listed in Section 508.149(a) as~~  
4 ~~soon as practicable after the first anniversary of the date of the~~  
5 ~~denial.~~]

6         SECTION 3. The change in law made by this Act applies on or  
7 after the effective date of this Act to the policy adopted by the  
8 Board of Pardons and Paroles under Section 508.141(g), Government  
9 Code, concerning the time by which the board must reconsider an  
10 inmate for release on parole, regardless of whether the inmate is  
11 serving a sentence for an offense committed before, on, or after the  
12 effective date of this Act.

13         SECTION 4. This Act takes effect immediately if it receives  
14 a vote of two-thirds of all the members elected to each house, as  
15 provided by Section 39, Article III, Texas Constitution. If this  
16 Act does not receive the vote necessary for immediate effect, this  
17 Act takes effect September 1, 2013.

\_\_\_\_\_  
President of the Senate

\_\_\_\_\_  
Speaker of the House

I certify that H.B. No. 431 was passed by the House on April 26, 2013, by the following vote: Yeas 139, Nays 0, 2 present, not voting; and that the House concurred in Senate amendments to H.B. No. 431 on May 24, 2013, by the following vote: Yeas 144, Nays 0, 2 present, not voting.

\_\_\_\_\_  
Chief Clerk of the House

I certify that H.B. No. 431 was passed by the Senate, with amendments, on May 22, 2013, by the following vote: Yeas 31, Nays 0.

\_\_\_\_\_  
Secretary of the Senate

APPROVED: \_\_\_\_\_

Date

\_\_\_\_\_  
Governor