

By: Price

H.B. No. 1234

A BILL TO BE ENTITLED

1 AN ACT

2 relating to the eligibility of an inmate convicted of reckless  
3 injury to a child, elderly person, or disabled person for release to  
4 mandatory supervision.

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

6 SECTION 1. Section 508.149(a), Government Code, as amended  
7 by Chapters 1 (S.B. 24) and 122 (H.B. 3000), Acts of the 82nd  
8 Legislature, Regular Session, 2011, is reenacted and amended to  
9 read as follows:

10 (a) An inmate may not be released to mandatory supervision  
11 if the inmate is serving a sentence for or has been previously  
12 convicted of:

13 (1) an offense for which the judgment contains an  
14 affirmative finding under Section 3g(a)(2), Article 42.12, Code of  
15 Criminal Procedure;

16 (2) a first degree felony or a second degree felony  
17 under Section 19.02, Penal Code;

18 (3) a capital felony under Section 19.03, Penal Code;

19 (4) a first degree felony or a second degree felony  
20 under Section 20.04, Penal Code;

21 (5) an offense under Section 21.11, Penal Code;

22 (6) a felony under Section 22.011, Penal Code;

23 (7) a first degree felony or a second degree felony  
24 under Section 22.02, Penal Code;

- 1           (8) a first degree felony under Section 22.021, Penal  
2 Code;
- 3           (9) an offense [~~a first degree felony~~] under Section  
4 22.04, Penal Code;
- 5           (10) a first degree felony under Section 28.02, Penal  
6 Code;
- 7           (11) a second degree felony under Section 29.02, Penal  
8 Code;
- 9           (12) a first degree felony under Section 29.03, Penal  
10 Code;
- 11           (13) a first degree felony under Section 30.02, Penal  
12 Code;
- 13           (14) a felony for which the punishment is increased  
14 under Section 481.134 or Section 481.140, Health and Safety Code;
- 15           (15) an offense under Section 43.25, Penal Code;
- 16           (16) an offense under Section 21.02, Penal Code;
- 17           (17) a first degree felony under Section 15.03, Penal  
18 Code;
- 19           (18) an offense under Section 43.05, Penal Code; [~~or~~]
- 20           (19) an offense under Section 20A.02, Penal Code; or
- 21           (20) [~~(18)~~] an offense under Section 20A.03, Penal  
22 Code.

23           SECTION 2. The change in law made by this Act applies only  
24 to an offense committed on or after the effective date of this Act.  
25 An offense committed before the effective date of this Act is  
26 governed by the law in effect on the date the offense was committed,  
27 and the former law is continued in effect for that purpose. For

1 purposes of this section, an offense was committed before the  
2 effective date of this Act if any element of the offense occurred  
3 before that date.

4 SECTION 3. To the extent of any conflict, this Act prevails  
5 over another Act of the 83rd Legislature, Regular Session, 2013,  
6 relating to nonsubstantive additions to and corrections in enacted  
7 codes.

8 SECTION 4. This Act takes effect September 1, 2013.