

By: Bonnen of Brazoria, Riddle, et al.

H.B. No. 1337

A BILL TO BE ENTITLED

AN ACT

relating to the release of an inmate on parole.

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

SECTION 1. Section 508.117, Government Code, is amended by amending Subsections (b), (c), and (e) and adding Subsections (b-1) and (b-2) to read as follows:

(b) A victim, guardian of a victim, or close relative of a deceased victim who would have been entitled to notification of parole proceedings [~~consideration~~] by the division but failed to provide a victim impact statement containing the person's name and address may file with the division a written request for notification. After receiving the written request for notification, the division shall grant to the person all privileges, including notification under this section, to which the person would have been entitled had the person submitted a completed victim impact statement.

(b-1) Regardless of whether a victim, guardian of a victim, or close relative of a deceased victim provided a victim impact statement or indicated on the statement that the person did or did not wish to be notified of parole proceedings concerning an inmate, the victim, guardian, or close relative may at any time file with the division a written statement indicating that the person:

(1) eternally protests the release of the inmate under any circumstance and urges the protest to be considered in any

1 parole proceeding concerning the inmate; and

2 (2) with respect to notification of parole proceedings  
3 concerning the inmate:

4 (A) wishes to be notified of any parole  
5 proceedings by the division;

6 (B) wishes to be notified only after a parole  
7 panel orders the release of the inmate; or

8 (C) does not wish to be notified at any time,  
9 including after a parole panel orders the release of the inmate.

10 (b-2) A victim, guardian of a victim, or close relative of a  
11 deceased victim who files a statement with the division under  
12 Subsection (b-1) may at any time on written notice to the division:

13 (1) withdraw the person's protest under Subsection  
14 (b-1)(1); or

15 (2) indicate a change in the circumstances under  
16 which the person wishes to be notified under Subsection (b-1)(2).

17 (c) If the notice is sent to a guardian or close relative of  
18 a deceased victim, the notice must contain a request by the division  
19 that the guardian or relative inform other persons having an  
20 interest in the matter that the inmate is the subject of a parole  
21 proceeding [~~being considered for release on parole~~].

22 (e) Before an inmate is released from the institutional  
23 division on parole or to mandatory supervision, the pardons and  
24 paroles division shall give notice of the release to a person  
25 entitled to notification of parole proceedings concerning  
26 [~~consideration for~~] the inmate under Subsection (a) or (b), unless:

27 (1) the person has filed with the division a written

1 statement described by Subsection (b-1)(2)(C) and has not withdrawn  
2 that statement; or

3 (2) the parole panel ordering the release of the  
4 inmate determines that, notwithstanding a written statement  
5 described by Subsection (b-1)(2)(C), notification is necessary to  
6 the person's safety.

7 SECTION 2. Section 508.141(g), Government Code, is amended  
8 to read as follows:

9 (g) The board shall adopt a policy establishing the date on  
10 which the board may reconsider for release an inmate who has  
11 previously been denied release. The policy must require the board  
12 to reconsider for release an inmate serving a sentence for an  
13 offense listed in Section 508.149(a) during a month designated by  
14 the parole panel that denied release. The designated month must  
15 begin after the first anniversary of the date of the denial and end  
16 before the fifth anniversary of the date of the denial, unless the  
17 inmate is serving a sentence for an offense under Section 22.021,  
18 Penal Code, or was sentenced to serve a term of imprisonment for  
19 life on conviction of a capital felony, in which event the  
20 designated month must begin after the first anniversary of the date  
21 of the denial and end before the 10th anniversary of the date of the  
22 denial. The policy must require the board to reconsider for release  
23 an inmate other than an inmate serving a sentence for an offense  
24 listed in Section 508.149(a) as soon as practicable after the first  
25 anniversary of the date of the denial.

26 SECTION 3. The Board of Pardons and Paroles shall adopt a  
27 policy consistent with Section 508.141(g), Government Code, as

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1 amended by this Act, as soon as practicable after the effective date  
2 of this Act.

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