

By: Huffman

S.B. No. 189

A BILL TO BE ENTITLED

AN ACT

relating to the eligibility of certain inmates convicted of injury to a child for release to mandatory supervision.

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

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

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

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

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

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

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

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

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

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

(8) a first degree felony under Section 22.021, Penal

1 Code;

2 (9) a first degree felony under Section 22.04, Penal
3 Code;

4 (9-a) a second degree felony or a third degree felony
5 under Section 22.04, Penal Code, if the victim of the offense is a
6 child;

7 (10) a first degree felony under Section 28.02, Penal
8 Code;

9 (11) a second degree felony under Section 29.02, Penal
10 Code;

11 (12) a first degree felony under Section 29.03, Penal
12 Code;

13 (13) a first degree felony under Section 30.02, Penal
14 Code;

15 (14) a felony for which the punishment is increased
16 under Section 481.134 or Section 481.140, Health and Safety Code;

17 (15) an offense under Section 43.25, Penal Code;

18 (16) an offense under Section 21.02, Penal Code;

19 (17) a first degree felony under Section 15.03, Penal
20 Code;

21 (18) an offense under Section 43.05, Penal Code; ~~or~~

22 (19) an offense under Section 20A.02, Penal Code; or

23 (20) [~~(18)~~] an offense under Section 20A.03, Penal
24 Code.

25 SECTION 2. The change in law made by this Act applies only
26 to an offense committed on or after the effective date of this Act.
27 An offense committed before the effective date of this Act is

1 governed by the law in effect on the date the offense was committed,
2 and the former law is continued in effect for that purpose. For
3 purposes of this section, an offense was committed before the
4 effective date of this Act if any element of the offense occurred
5 before that date.

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

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