

By: Hinojosa

S.B. No. 1428

A BILL TO BE ENTITLED

AN ACT

relating to the reformation of the sentences of juveniles convicted of capital felonies after being transferred to criminal court.

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

SECTION 1. Chapter 44, Code of Criminal Procedure, is amended by adding Article 44.252 to read as follows:

Art. 44.252. REFORMATION OF SENTENCE IN CAPITAL CASE INVOLVING JUVENILE DEFENDANT. The court of criminal appeals shall reform a sentence of imprisonment of a defendant committed to the Texas Department of Criminal Justice for life without parole, including a sentence already reformed from death to a sentence of imprisonment in the Texas Department of Criminal Justice for life without parole, to a sentence of imprisonment in the Texas Department of Criminal Justice for life as provided by Section 12.31(a)(1), Penal Code, if the court finds that the defendant is a person whose case was transferred to a criminal court under Section 54.02, Family Code.

SECTION 2. Notwithstanding Section 3, Chapter 765 (S.B. No. 839), Acts of the 81st Legislature, Regular Session, 2009, the changes made by that Act to Section 12.31, Penal Code, and Section 508.145, Government Code, apply to offenses committed before, on, or after September 1, 2009, the effective date of that Act.

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