

1-1 By: Hinojosa S.B. No. 1428
 1-2 (In the Senate - Filed March 7, 2013; March 18, 2013, read
 1-3 first time and referred to Committee on Criminal Justice;
 1-4 April 22, 2013, reported adversely, with favorable Committee
 1-5 Substitute by the following vote: Yeas 4, Nays 1; April 22, 2013,
 1-6 sent to printer.)

1-7 COMMITTEE VOTE

	Yea	Nay	Absent	PNV
1-8 Whitmire	X			
1-9 Huffman		X		
1-10 Carona	X			
1-11 Hinojosa	X			
1-12 Patrick			X	
1-13 Rodriguez	X			
1-14 Schwertner			X	

1-16 COMMITTEE SUBSTITUTE FOR S.B. No. 1428 By: Huffman

1-17 A BILL TO BE ENTITLED
 1-18 AN ACT

1-19 relating to the reformation of the sentences of juveniles convicted
 1-20 of capital felonies.

1-21 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

1-22 SECTION 1. Chapter 44, Code of Criminal Procedure, is
 1-23 amended by adding Article 44.252 to read as follows:

1-24 Art. 44.252. REFORMATION OF SENTENCE IN CAPITAL CASE
 1-25 INVOLVING JUVENILE DEFENDANT. The court of criminal appeals shall
 1-26 reform a sentence of imprisonment of a defendant committed to the
 1-27 Texas Department of Criminal Justice for life without parole,
 1-28 including a sentence previously reformed from death to a sentence
 1-29 of imprisonment in the Texas Department of Criminal Justice for
 1-30 life without parole, to a sentence of imprisonment in the Texas
 1-31 Department of Criminal Justice for life, or for any term of not more
 1-32 than 99 years, if the court finds that the defendant committed the
 1-33 offense before the defendant's 18th birthday. The court shall make
 1-34 an individualized assessment of the defendant's circumstances and
 1-35 the circumstances surrounding the offense in determining the length
 1-36 of the reformed sentence.

1-37 SECTION 2. Notwithstanding Section 3, Chapter 765 (Senate
 1-38 Bill No. 839), Acts of the 81st Legislature, Regular Session, 2009,
 1-39 the changes made by that Act to Section 12.31, Penal Code, and
 1-40 Section 508.145, Government Code, apply to offenses committed
 1-41 before, on, or after September 1, 2009, the effective date of that
 1-42 Act.

1-43 SECTION 3. This Act takes effect September 1, 2013.

1-44 * * * * *