

By: Guillen

H.B. No. 4007

A BILL TO BE ENTITLED

1 AN ACT

2 relating to procedures applicable to a person released on parole or
3 to mandatory supervision and charged with certain new offenses or
4 an administrative violation of a condition of release.

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

6 SECTION 1. Section 508.254, Government Code, is amended by
7 amending Subsection (c) and adding Subsections (d), (e), (f), and
8 (g) to read as follows:

9 (c) Except as provided by Subsection (d), pending [~~Pending~~]
10 a hearing on a charge of parole violation, ineligible release, or
11 violation of a condition of mandatory supervision, a person
12 returned to custody shall remain confined.

13 (d) A magistrate of the county in which the person is held in
14 custody may release the person on bond pending the hearing if the
15 person is arrested or held in custody only on a charge that the
16 person:

17 (1) committed an administrative violation of release;

18 or

19 (2) violated a condition of release by committing a
20 new offense for which the person is eligible for release on bond,
21 other than:

22 (A) an offense under Title 5 or Chapter 29, Penal
23 Code; or

24 (B) an offense involving family violence, as

1 defined by Section 71.004, Family Code.

2 (e) The provisions of Chapters 17 and 22, Code of Criminal
3 Procedure, apply to a person released under Subsection (d) in the
4 same manner as those provisions apply to a person released pending
5 an appearance before a court or magistrate, except that the release
6 under that subsection is conditioned on the person's appearance at
7 a hearing under this subchapter.

8 (f) A county that confines in the county jail an inmate or
9 person to whom Section 508.282(a)(1) applies is entitled to receive
10 compensation from the state for:

11 (1) medical or other special needs expenses incurred
12 during any day the inmate or person is confined in the county jail;
13 and

14 (2) the costs of confinement, other than those
15 described by Subdivision (1), incurred by the county beginning on
16 the 16th day the inmate or person is confined in the county jail.

17 (g) A county promptly shall inform the department that an
18 inmate or person described by Subsection (f) is confined in the
19 jail. On the first day of each quarter of a county's fiscal year,
20 the county judge shall certify to the comptroller of public
21 accounts each inmate or person confined and, for each inmate or
22 person confined, the amount of medical or other special needs
23 expenses and costs of confinement incurred during the preceding
24 fiscal quarter for which the county is entitled to compensation
25 under Subsection (f). The comptroller shall issue to the
26 commissioners court of the county a warrant in an amount computed
27 for the preceding fiscal quarter for all inmates or persons

1 confined.

2 SECTION 2. (a) The change in law made by this Act applies
3 only to a person who on or after the effective date of this Act is
4 charged with a violation of the person's release on parole or
5 mandatory supervision. A person who before the effective date of
6 this Act was charged with a violation of release is governed by the
7 law in effect when the violation was charged, and the former law is
8 continued in effect for that purpose.

9 (b) A county is entitled to compensation from the state
10 under Section 508.254(f), Government Code, as added by this Act,
11 only for the confinement of a person who on or after the effective
12 date of this Act is charged with a violation of release.

13 SECTION 3. This Act takes effect September 1, 2015.