

## **BILL ANALYSIS**

C.S.H.B. 1111  
By: Thompson, Senfronia  
Criminal Jurisprudence  
Committee Report (Substituted)

### **BACKGROUND AND PURPOSE**

Interested parties contend that the current prohibition against certain individuals released on parole or to mandatory supervision from going near premises where children commonly gather is too restrictive and often does not allow the individual to lawfully travel to a place where the individual has legitimate business, such as a parole office, rehabilitation facility, or workplace. C.S.H.B. 1111 seeks to provide an exception to that prohibition when such an individual is in or going immediately to or from certain locations.

### **CRIMINAL JUSTICE IMPACT**

It is the committee's opinion that this bill does not expressly create a criminal offense, increase the punishment for an existing criminal offense or category of offenses, or change the eligibility of a person for community supervision, parole, or mandatory supervision.

### **RULEMAKING AUTHORITY**

It is the committee's opinion that this bill does not expressly grant any additional rulemaking authority to a state officer, department, agency, or institution.

### **ANALYSIS**

C.S.H.B. 1111 amends the Government Code to make the requirement that a person or inmate convicted of certain offenses and released on parole or to mandatory supervision not go in, on, or within a distance specified by a parole panel of certain premises where children commonly gather as a condition of that release inapplicable while the person or inmate is in or going immediately to or from a parole office; premises at which the person or inmate is participating in a program or activity required as a condition of release; a residential facility in which the person or inmate is required to reside as a condition of release; a private residence in which the person or inmate is required to reside as a condition of release; or any other premises, facility, or location that is designed to rehabilitate or reform the person or inmate or authorized by the pardons and paroles division as a premises, facility, or location where it is reasonable and necessary for the person or inmate to be present and at which the person or inmate has legitimate business, including a church, synagogue, or other established place of religious worship, a workplace, a health care facility, or a location of a funeral. The bill's provisions apply to a person on parole or mandatory supervision on or after the bill's effective date, regardless of whether the person was released on parole or to mandatory supervision before, on, or after that date.

### **EFFECTIVE DATE**

September 1, 2017.

### **COMPARISON OF ORIGINAL AND SUBSTITUTE**

While C.S.H.B. 1111 may differ from the original in minor or nonsubstantive ways, the

following comparison is organized and formatted in a manner that indicates the substantial differences between the introduced and committee substitute versions of the bill.

#### INTRODUCED

SECTION 1. Section 508.187, Government Code, is amended by adding Subsection (b-1) to read as follows:

(b-1) Notwithstanding Subsection (b)(1)(B), a requirement that a releasee not go in, on, or within a distance specified by a parole panel of certain premises does not apply to a releasee while the releasee is traveling directly en route on a public or private roadway between locations at which the releasee has legitimate business.

SECTION 2. Section 508.225, Government Code, is amended by adding Subsection (a-1) to read as follows:

(a-1) Notwithstanding Subsection (a)(2), a requirement that an inmate not go in, on, or within a distance specified by a parole panel of certain premises does not apply to an inmate while the inmate is traveling directly en route on a public or private roadway between locations at which the inmate has legitimate business.

#### HOUSE COMMITTEE SUBSTITUTE

SECTION 1. Section 508.187, Government Code, is amended by adding Subsection (b-1) to read as follows:

(b-1) Notwithstanding Subsection (b)(1)(B), a requirement that a releasee not go in, on, or within a distance specified by a parole panel of certain premises does not apply to a releasee while the releasee is in or going immediately to or from:

- (1) a parole office;
- (2) premises at which the releasee is participating in a program or activity required as a condition of release;
- (3) a residential facility in which the releasee is required to reside as a condition of release;
- (4) a private residence in which the releasee is required to reside as a condition of release; or
- (5) any other premises, facility, or location that is:
  - (A) designed to rehabilitate or reform the releasee; or
  - (B) authorized by the division as a premises, facility, or location where it is reasonable and necessary for the releasee to be present and at which the releasee has legitimate business, including a church, synagogue, or other established place of religious worship, a workplace, a health care facility, or a location of a funeral.

SECTION 2. Section 508.225, Government Code, is amended by adding Subsection (a-1) to read as follows:

(a-1) Notwithstanding Subsection (a)(2), a requirement that an inmate not go in, on, or within a distance specified by a parole panel of certain premises does not apply to an inmate while the inmate is in or going immediately to or from:

- (1) a parole office;
- (2) premises at which the inmate is participating in a program or activity required as a condition of release;
- (3) a residential facility in which the inmate is required to reside as a condition of release;
- (4) a private residence in which the inmate is required to reside as a condition of

release; or

(5) any other premises, facility, or location that is:

(A) designed to rehabilitate or reform the inmate; or

(B) authorized by the division as a premises, facility, or location where it is reasonable and necessary for the inmate to be present and at which the inmate has legitimate business, including a church, synagogue, or other established place of religious worship, a workplace, a health care facility, or a location of a funeral.

SECTION 3. The change in law made by this Act applies to a person on parole or mandatory supervision on or after the effective date of this Act, regardless of whether the person was released on parole or to mandatory supervision before, on, or after that date.

SECTION 4. This Act takes effect September 1, 2017.

SECTION 3. Same as introduced version.

SECTION 4. Same as introduced version.