

## **BILL ANALYSIS**

C.S.H.B. 2772  
By: Wilson  
Corrections  
Committee Report (Substituted)

### **BACKGROUND AND PURPOSE**

There are concerns surrounding the lack of notification to the applicable district attorney's office, victim, and victim's family when an inmate who, at the time of sentencing to Texas Department of Criminal Justice (TDCJ) imprisonment, is confined in county jail and eligible for release to mandatory supervision, is released from custody. C.S.H.B. 2772 seeks to address this concern by requiring TDCJ to take custody of such inmates and then provide timely notice to applicable persons that the inmate is eligible for mandatory supervision.

### **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. 2772 amends the Government Code to require the Texas Department of Criminal Justice (TDCJ), with regard to an inmate who at the time of being sentenced to a term of imprisonment in TDCJ is confined in a county jail and eligible for release to mandatory supervision, to take custody of the inmate before the inmate may be released to mandatory supervision. The bill requires TDCJ, as soon as practicable after taking such an inmate into custody, to provide notice to the following persons that the inmate is eligible for release to mandatory supervision:

- a person who is a victim of sexual assault, kidnapping, aggravated robbery, or felony stalking or who has suffered bodily injury or death as the result of the criminal conduct of the inmate;
- a guardian of the victim; or
- a close relative of a deceased victim.

C.S.H.B. 2772 requires the notice to be sent to the address provided in the victim impact statement or in the submitted written request for notification of parole consideration. The notice must state that the victim, guardian, or close relative may submit, not later than the 14th day after the date of the notice, a written statement to the parole panel considering the inmate's release regarding the offense, the inmate, and the effect of the offense on the victim, guardian, or close relative. The bill authorizes the parole panel to interview a victim, guardian of a victim, or close relative of a deceased victim regarding the inmate's release to mandatory supervision.

**EFFECTIVE DATE**

September 1, 2019.

**COMPARISON OF ORIGINAL AND SUBSTITUTE**

While C.S.H.B. 2772 may differ from the original in minor or nonsubstantive ways, the following summarizes the substantial differences between the introduced and committee substitute versions of the bill.

The substitute clarifies the inmates to whom the bill's provisions apply.

The substitute does not include an authorization for a parole panel to hold a hearing regarding the inmate's release to mandatory supervision and to permit a victim, guardian of a victim, or close relative of a deceased victim to make a statement at the hearing. The bill includes an authorization for a parole panel instead to interview such a person regarding the inmate's release.