

By: Moody

H.B. No. 2177

A BILL TO BE ENTITLED

AN ACT

relating to the release of certain inmates on parole; changing parole eligibility.

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

SECTION 1. Section 508.144, Government Code, is amended by adding Subsection (a-1) to read as follows:

(a-1) The parole guidelines must require a parole panel to consider the following as mitigating factors favoring parole approval:

(1) for an inmate serving a sentence for an offense committed when the inmate was younger than 26 years of age, the diminished culpability that accompanies the hallmark features of youth, including immaturity, impetuosity, and the failure to appreciate risks and consequences;

(2) an inmate's current age and relevant data regarding the decline in criminality as individuals age; and

(3) if provided to the parole panel, any opinion in support of an inmate's release on parole from:

(A) the attorney representing the state in the prosecution of the offense for which the inmate is serving a sentence; or

(B) the judge that imposed the inmate's sentence.

SECTION 2. Section 508.145, Government Code, is amended by adding Subsection (g) to read as follows:

1        (g)(1) Notwithstanding any other provision of this section  
2 and except as provided by Subdivision (2):

3                (A) an inmate who is 35 years of age or older but  
4 younger than 50 years of age is not eligible for release on parole  
5 until the inmate's actual calendar time served, without  
6 consideration of good conduct time, equals 20 calendar years or the  
7 applicable time provided by another provision of this section,  
8 whichever is less; and

9                (B) an inmate who is 50 years of age or older is  
10 not eligible for release on parole until the inmate's actual  
11 calendar time served, without consideration of good conduct time,  
12 equals 15 calendar years or the applicable time provided by another  
13 provision of this section, whichever is less.

14                (2) This subsection does not apply to an inmate  
15 described by Subsection (a), (b), (c), or (d)(1)(A), other than an  
16 inmate serving a sentence for an offense under Section 29.03, Penal  
17 Code.

18                SECTION 3. As soon as practicable after the effective date  
19 of this Act, the Board of Pardons and Paroles shall modify the  
20 parole guidelines to be in conformity with Section 508.144(a-1),  
21 Government Code, as added by this Act.

22                SECTION 4. The change in law made by this Act applies to any  
23 inmate who is confined in a facility operated by or under contract  
24 with the Texas Department of Criminal Justice on or after the  
25 effective date of this Act, regardless of whether the offense for  
26 which the inmate is confined occurred before, on, or after the  
27 effective date of this Act.

1 SECTION 5. This Act takes effect September 1, 2021.