

By: Bernal

H.B. No. 2216

A BILL TO BE ENTITLED

AN ACT

relating to the period for disposing of a charge that a person violated a condition of release from the Texas Department of Criminal Justice.

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

SECTION 1. Section 508.282(a), Government Code, is amended to read as follows:

(a) Except as provided by Subsection (b), a parole panel, a designee of the board, or the department shall dispose of the charges against an inmate or person described by Section 508.281(a):

(1) before the 41st day after the date on which:

(A) a warrant issued as provided by Section 508.251 is executed, unless an indictment, information, or complaint is filed in court [~~if the inmate or person is arrested only on a charge that the inmate or person has committed an administrative violation of a condition of release, and the inmate or person is not charged~~] before the 41st day alleging [~~with~~] the inmate or person committed [~~commission of~~] an offense described by Section 508.2811(2)(B); or

(B) the sheriff having custody of an inmate or person alleged to have committed an offense after release notifies the department that:

(i) the inmate or person has discharged the

1 sentence for the offense; or

2 (ii) the prosecution of the alleged offense
3 has been dismissed by the attorney representing the state in the
4 manner provided by Article 32.02, Code of Criminal Procedure; or

5 (2) within a reasonable time after the date on which
6 the inmate or person is returned to the custody of the department,
7 if:

8 (A) immediately before the return the inmate or
9 person was in custody in another state or in a federal correctional
10 system; or

11 (B) the inmate or person is transferred to the
12 custody of the department under Section 508.284.

13 SECTION 2. The change in law made by this Act applies only
14 to a person who on or after the effective date of this Act is charged
15 with a violation of a condition of the person's release. A person
16 who was charged with a violation of a condition of release before
17 the effective date of this Act is governed by the law in effect on
18 the date the person was charged with the violation, and the former
19 law is continued in effect for that purpose.

20 SECTION 3. This Act takes effect September 1, 2021.