

By: J. Johnson of Harris

H.B. No. 2806

A BILL TO BE ENTITLED

1 AN ACT  
2 relating to the issuance of a summons for certain persons charged  
3 with a violation of a condition of release on parole or to mandatory  
4 supervision.

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

6 SECTION 1. Section 508.251(c), Government Code, is amended  
7 to read as follows:

8 (c) Instead of the issuance of a warrant under this section,  
9 the division:

10 (1) may issue to the person a summons requiring the  
11 person to appear for a hearing under Section 508.281 if the person:

12 (A) is not a releasee who is:

13 (i) on intensive supervision or  
14 superintensive supervision;

15 (ii) an absconder; or

16 (iii) determined by the division to be a  
17 threat to public safety; or

18 (B) is charged only with committing a new offense  
19 that is alleged to have been committed after the first anniversary  
20 of the date the person was released on parole or to mandatory  
21 supervision if:

22 (i) the new offense is a Class C misdemeanor  
23 under the Penal Code, other than an offense committed against a  
24 child younger than 17 years of age or an offense involving family

1 violence, as defined by Section 71.004, Family Code;

2 (ii) the person has maintained steady  
3 employment for at least one year;

4 (iii) the person has maintained a stable  
5 residence for at least one year; and

6 (iv) the person has not previously been  
7 charged with an offense after the person was released on parole or  
8 to mandatory supervision; and

9 (2) shall issue to the person a summons requiring the  
10 person to appear for a hearing under Section 508.281 if the person:

11 (A) is charged only with committing:

12 (i) a new offense for which the person has  
13 been released on bond; or

14 (ii) an administrative violation of release  
15 that is alleged to have been committed after the first anniversary  
16 of the date the person was released on parole or to mandatory  
17 supervision;

18 (B) is not serving a sentence for, and has not  
19 been previously convicted of, an offense listed in or described by  
20 Article 62.001(5), Code of Criminal Procedure; and

21 (C) is not a releasee with respect to whom a  
22 summons may not be issued under Subdivision (1).

23 SECTION 2. This Act takes effect September 1, 2021.