

## **BILL ANALYSIS**

Senate Research Center  
88R4354 MZM-F

H.B. 1577  
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Criminal Justice  
5/17/2023  
Engrossed

### **AUTHOR'S / SPONSOR'S STATEMENT OF INTENT**

Interested parties contend that for certain other violent offenses, particularly offenses against the family and women, the Texas Board of Pardons and Paroles (BPP) should have discretion in determining parole eligibility and the timeline for review, in the interest of public safety, especially to prevent further crimes against women. Additionally, allowing the BPP to set a longer timeline for review would allow for the victims who testify before the BPP more time between reviews so that they do not have to relive the heinous crime by testifying annually.

#### **BILL SUMMARY:**

H.B. 1577 gives the BPP discretion in setting the timeline to review certain violent offenders' parole eligibility.

- These offenses include:
  - second degree assaults;
  - which include assault of a person the actor knows is a peace officer or judge who is discharging their official duty; or
  - as a retaliatory action against said person, or assault that constitutes repeat family violence by strangulation.
- It also adds:
  - the third degree offenses of repeat family violence or family violence by strangulation;
  - assault to cause an abortion; and
  - assault of a pregnant woman.

H.B. 1577 amends current law relating to changing the eligibility for mandatory supervision of an inmate serving a sentence for or previously convicted of certain assaults.

### **RULEMAKING AUTHORITY**

This bill does not expressly grant any additional rulemaking authority to a state officer, institution, or agency.

### **SECTION BY SECTION ANALYSIS**

SECTION 1. Amends Section 508.149(a), Government Code, as follows:

(a) Prohibits an inmate from being released to mandatory supervision if the inmate is serving a sentence for or has been previously convicted of:

- (1)-(13) makes no changes to these subdivisions;
- (14) makes a nonsubstantive change to this subdivision;
- (15)-(20) makes no changes to these subdivisions;
- (21)-(22) makes nonsubstantive changes to these subdivisions;
- (23) a second degree felony under Section 22.01 (Assault), Penal Code; or

(24) an offense under Section 22.01, Penal Code, punished under Subsection (b)(2) (relating to providing that an offense is a Class A misdemeanor, except that the offense is a felony of the third degree if the offense is committed against a person whose relationship to or association with the defendant meets certain conditions), (7) (relating to providing that an offense is a Class A misdemeanor, except that the offense is a felony of the third degree if the offense is committed against a pregnant individual to force the individual to have an abortion), or (8) (relating to providing that an offense is a Class A misdemeanor, except that the offense is a felony of the third degree if the offense is committed against a person the actor knows is pregnant at the time of the offense) of that section.

SECTION 2. Makes application of this Act prospective.

SECTION 3. Effective date: September 1, 2023.