

BILL ANALYSIS

H.B. 1577
By: Hull
Corrections
Committee Report (Unamended)

BACKGROUND AND PURPOSE

For certain violent offenses, particularly offenses against the family and women, the Board of Pardons and Paroles (BPP) should have discretion in determining parole eligibility in the interest of public safety, especially to prevent further crimes against women. H.B. 1577 seeks to allow the BPP more discretion with respect to the release of certain violent offenders by adding several offenses to the list of offenses that are not eligible for mandatory supervision, making the release of those convicted of the offenses contingent on the BPP's approval. These offenses include second degree felony assaults, which include assault of a person the actor knows is a peace officer or judge who is discharging their official duty, assault as a retaliatory action against such a person, and assault that constitutes repeat family violence by strangulation. The offenses also include third degree felony offenses of repeat family violence or family violence by strangulation, assault to cause an abortion, and assault against a pregnant person.

CRIMINAL JUSTICE IMPACT

It is the committee's opinion that this bill expressly does one or more of the following: creates a criminal offense, increases the punishment for an existing criminal offense or category of offenses, or changes 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

H.B. 1577 amends the Government Code to prohibit from release to mandatory supervision an inmate serving a sentence for or who has been previously convicted of:

- second degree felony assault; or
- assault committed against:
 - a person with whom the actor has or had a dating, family, or household relationship or association, where certain aggravating factors are demonstrated at trial;
 - a pregnant individual to force the individual to have an abortion; or
 - a person the actor knows is pregnant at the time of the offense.

The bill applies only to an offense committed on or after the bill's effective date. The bill provides for the continuation of the law in effect before the bill's effective date for purposes of an offense that occurred before that date.

EFFECTIVE DATE

September 1, 2023.