

By: Leo-Wilson

H.B. No. 2805

A BILL TO BE ENTITLED

AN ACT

relating to the consideration of certain information by a parole panel in determining whether to release an inmate on parole.

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

SECTION 1. Subchapter E, Chapter 508, Government Code, is amended by adding Section 508.1415 to read as follows:

Sec. 508.1415. ADDITIONAL PAROLE CONSIDERATIONS. (a) The board shall adopt rules requiring a parole panel considering an inmate for release on parole to issue a subpoena under Section 508.048 for the production of disciplinary records relating to the inmate that are maintained by the Texas Education Agency. The rules must provide that the existence or contents of the subpoena and information obtained in response to the subpoena are not to be disclosed to any person other than the board and the parole panel. The consideration of disciplinary records by a parole panel as required by Subsection (b) is a law enforcement purpose.

(b) In determining whether to release an inmate on parole, a parole panel shall consider:

(1) disciplinary records obtained under Subsection (a);

(2) relevant information available on the inmate's social media accounts; and

(3) statements submitted under Subsection (c).

(c) Not later than the 21st day before the date a parole

1 panel considers an inmate for release on parole, the department
2 shall publish a notice on the department's Internet website and in a
3 newspaper of general circulation in the county in which the inmate
4 was convicted. The notice must state:

5 (1) the inmate's name;

6 (2) the county in which the inmate was convicted;

7 (3) the offense for which the inmate was convicted;

8 (4) that persons residing in the county in which the
9 inmate was convicted may submit a written statement to the parole
10 panel; and

11 (5) the manner and period in which a person described
12 by Subdivision (4) may submit a written statement to the parole
13 panel.

14 (d) The period provided for the submission of written
15 statements under Subsection (c) may not be less than 10 days.

16 SECTION 2. Not later than December 1, 2023, the Board of
17 Pardons and Paroles shall adopt the rules required by Section
18 508.1415, Government Code, as added by this Act.

19 SECTION 3. Section 508.1415, Government Code, as added by
20 this Act, applies only to the consideration by a parole panel of the
21 release of an inmate on parole that occurs on or after December 1,
22 2023. The consideration by a parole panel of the release of an
23 inmate that occurs before December 1, 2023, is governed by the law
24 in effect immediately before the effective date of this Act, and the
25 former law is continued in effect for that purpose.

26 SECTION 4. This Act takes effect September 1, 2023.