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| BILL ANALYSIS |

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| H.B. 2017 |
| By: Gerdes |
| Corrections |
| Committee Report (Unamended) |

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| **BACKGROUND AND PURPOSE**  In October 2024, 29-year-old Grayson Davis was hit and killed in Bastrop County by a suspected drunk driver without legal U.S. citizenship who was charged with intoxication manslaughter, as reported by CBS Austin. The bill author has informed the committee that increasing the minimum term of imprisonment for intoxication manslaughter would help ensure undocumented immigrants, should they be held in Texas, have enough time to rehabilitate and guarantee the criminal justice system has enough time to serve its purpose. H.B. 2017 seeks to honor Mr. Davis and prevent further tragedies like this one from occurring by increasing the mandatory minimum term of imprisonment for intoxication manslaughter to 10 years if it is shown on the trial of the offense that at the time of the offense the person was present in the United States following the commission of an offense involving illegal entry into Texas. |
| **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. 2017 amends the Penal Code to increase the mandatory minimum term of imprisonment for the offense of intoxication manslaughter from two years, as provided generally for second degree felonies, to 10 years if it is shown on the trial of the offense that at the time of the offense the person was present in the United States following the commission of an offense involving illegal entry into Texas.  H.B. 2017 amends the Code of Criminal Procedure to make a defendant ineligible for community supervision, including deferred adjudication community supervision, if the defendant is charged with or convicted of intoxication manslaughter and it is shown on the trial of the offense that at the time of the offense the person was present in the United States following the commission of an offense involving illegal entry into Texas.  H.B. 2017 amends the Government Code to make an inmate serving a sentence for intoxication manslaughter ineligible for release on parole until their actual calendar time served, without consideration of good conduct time, equals 10 years if it is shown on the trial of the offense that at the time of the offense the person was present in the United States following the commission of an offense involving illegal entry into Texas. The bill also prohibits such an inmate from being released to mandatory supervision unless their actual calendar time served, without consideration of good conduct time, equals at least 10 years and they are otherwise eligible for release.  H.B. 2017 applies only to an offense committed on or after the bill's effective date. An offense committed before the bill's effective date is governed by the law in effect on the date the offense was committed, and the former law is continued in effect for that purpose. For these purposes, an offense was committed before the bill's effective date if any element of the offense occurred before that date. |
| **EFFECTIVE DATE**  September 1, 2025. |