

BILL ANALYSIS

Senate Research Center

C.S.S.B. 113
By: Moncrief
Criminal Justice
4-1-97
Committee Report (Substituted)

DIGEST

Currently, when a prisoner is about to be released or transferred to a halfway house, notification is required to be given to the sheriff, prosecuting attorney, and the district judge in the county where the prisoner was convicted and the county to which the prisoner is to be released or sent to a halfway house. In addition, within 10 days of the parole panel deciding to transfer a prisoner to a halfway house, the pardons and paroles division of the Texas Department of Criminal Justice is required to notify the sheriff of the county in which the prisoner was convicted, and the sheriff and prosecuting attorney in the county to which the prisoner is being transferred. Neither of these lists of officials to be notified includes the chief of police of each county. This bill will require the pardons and paroles division to include chiefs of police in the list of officials who must be notified of such actions.

PURPOSE

As proposed, C.S.S.B. 113 requires notification by the pardons and paroles division of the Texas Department of Criminal Justice of certain chiefs of police when certain actions are taken regarding prisoners.

RULEMAKING AUTHORITY

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

SECTION BY SECTION ANALYSIS

SECTION 1. Amends Section 8(h), Article 42.18, Code of Criminal Procedure, to require the pardons and paroles division of the Texas Department of Criminal Justice to include each chief of police in certain counties in the list of officials to be notified of certain actions regarding prisoners. Makes conforming and nonsubstantive changes.

SECTION 2. Amends Section 8A(e), Article 42.18, Code of Criminal Procedure, to require the pardons and paroles division to include the reason for residency exemption in the required notification to the sheriff of the county in which the defendant is to reside, the chief of police of the municipality in which the halfway house is located, and the attorney who represents the state in the prosecution of felonies in that county.

SECTION 3. Effective date: September 1, 1997.

SECTION 4. Emergency clause.

SUMMARY OF COMMITTEE CHANGES

SECTION 2.

Adds Section 8A(e), Article 42.18, Code of Criminal Procedure, to require the required notification to include the reason for residency exemption. Makes conforming changes.