

## **BILL ANALYSIS**

Senate Research Center

S.B. 1238  
By: West  
Criminal Justice  
3-21-97  
As Filed

### **DIGEST**

Currently, in order to have a warrant issued for the arrest of a parolee, parole staff must have a complaint notarized by a notary public. This can be difficult on evening and weekends. If the complaint was a self-verifying document, there would not be a delay in issuing warrants due to the unavailability of a notary. This bill will provide additional regulations regarding the issuance and withdrawal of a warrant for the return to confinement of certain inmates released to the supervision of the pardons and paroles division of the Texas Department of Criminal Justice.

### **PURPOSE**

As proposed, S.B. 1238 provides additional regulations regarding the issuance and withdrawal of a warrant for the return to confinement of certain inmates released to the supervision of the pardons and paroles division of the Texas Department of Criminal Justice.

### **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 13(a), Article 42.18, Code of Criminal Procedure, to authorize a warrant for the return of certain individuals to be issued by certain individuals if there is a document that is self-authenticating as provided by Rule 902, Texas Rules of Criminal Evidence, rather than a verified complaint, stating that the person violated a rule or condition of release.

SECTION 2. Amends Section 14, Article 42.18, Code of Criminal Procedure, by amending Subsection (c) and by adding Subsection (d), to provide that the requirement in Subsection (a) that a warrant be withdrawn does not apply if the person is extradited to this state from another state. Requires a parole panel or designee of the Board of Pardons and Paroles to hold a hearing for a person described by Subsection (c) within a reasonable time after the time on which certain events occur.

SECTION 3. Makes application of this Act prospective.

SECTION 4. Effective date: September 1, 1997.

SECTION 5. Emergency clause.