

BILL ANALYSIS

Senate Research Center
78R3619 KCR-D

S.J.R. 28
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Criminal Justice
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As Filed

DIGEST AND PURPOSE

Under the Texas constitution, the governor is allowed to issue one 30-day reprieve in an capital case. Recent revisions by the legislature regarding the administration of capital punishment have included DNA testing for inmates, determination of mental competency, and improved indigent criminal defense measures. As proposed, S.J.R. 28 allows the governor to issue multiple 30-day reprieves in any capital case.

RULEMAKING AUTHORITY

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

SECTION BY SECTION ANALYSIS

SECTION 1. Amends Section 11(b), Article IV, Texas Constitution, to require the governor to have the power to grant one or more reprieves, rather than one reprieve, in any capital case for a period not to exceed thirty (30) days for each reprieve. Makes a nonsubstantive change.

SECTION 2. Requires this proposed constitutional amendment to be submitted to the voters at an election to be held November 4, 2003. Requires the printed ballot to allow voting for or against the proposition: "The constitutional amendment authorizing the governor to grant more than one reprieve in a capital case."