

BILL ANALYSIS

Senate Research Center
80R7919 JRH-D

H.B. 2611
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Criminal Justice
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Engrossed

AUTHOR'S / SPONSOR'S STATEMENT OF INTENT

Current Texas law does not allow sex offenders who have a reportable conviction or adjudication under Chapter 62 (Sex Offender Registration Program), Code of Criminal Procedure, to be released for medical supervision, even if they have a terminal illness or condition of long-term care. This policy has a negative effect on the individual inmate and is costly to the state. Texas prisons are critically overcrowded and yet the state is housing incarcerated inmates who, if released to supervision, could become eligible for federal Medicare and Medicaid. Moreover, inmates are prohibited from receiving the mental health care that they need and could receive under medically recommended intensive supervision.

H.B. 2611 allows sex offenders who are in a persistent vegetative state or have an organic brain syndrome with significant to total mobility impairment to be released on medically recommended intensive supervision.

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 508.146(a), Government Code, to authorize an inmate who has a reportable conviction or adjudication under Chapter 62 (Sex Offender Registration Program), Code of Criminal Procedure, to only be considered for release on medically recommended intensive supervision if a medical condition of terminal illness or long-term care has been diagnosed by a physician under certain circumstances.

SECTION 2. Effective date: September 1, 2007.