

BILL ANALYSIS

Senate Research Center
81R11755 HLT-D

S.B. 1847
By: Hegar
Criminal Justice
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As Filed

AUTHOR'S / SPONSOR'S STATEMENT OF INTENT

Under current law, wrongfully imprisoned persons who are discharged do not qualify for the services that parolees receive upon discharge.

As proposed, S.B. 1847 requires the Texas Department of Criminal Justice to ensure that wrongfully imprisoned persons who are discharged receive the same benefits that parolees qualify for, as detailed in Subchapters F (Mandatory Conditions of Parole or Mandatory Supervision) and G (Discretionary Conditions of Parole or Mandatory Supervision), Chapter 508 (Parole and Mandatory Supervision), Government Code.

RULEMAKING AUTHORITY

Rulemaking authority is expressly granted to the executive commissioner of Texas Department of Criminal Justice in SECTION 1 (Section 501.091, Government Code) of this bill.

SECTION BY SECTION ANALYSIS

SECTION 1. Amends Subchapter C, Chapter 501, Government Code, by adding Section 501.091, as follows:

Sec. 501.091. PROGRAMS AND SERVICES FOR WRONGFULLY IMPRISONED PERSONS WHO ARE DISCHARGED. (a) Defines "wrongfully imprisoned person."

(b) Requires the Texas Department of Criminal Justice (TDCJ) to ensure that the same programs and services that are available to or in which participation is mandatory for an inmate released on parole or to mandatory supervision, including programs and services offered or required under Subchapter F (Mandatory Conditions of Parole or Mandatory Supervision) or G (Discretionary Conditions of Parole or Mandatory Supervision) of Chapter 508 (Parole and Mandatory Supervision), are available to a wrongfully imprisoned person when the person is discharged from TDCJ.

(c) Authorizes the executive director of TDCJ (executive director) to adopt rules as necessary to implement this section and to direct the director of the Texas Correctional Office on Offenders with Medical or Mental Impairments to take any actions necessary to implement this section.

SECTION 2. Effective date: upon passage or September 1, 2009.