

BILL ANALYSIS

Senate Research Center
87R2957 JRR-D

H.B. 721
By: Wilson (Schwertner)
Criminal Justice
5/20/2021
Engrossed

AUTHOR'S / SPONSOR'S STATEMENT OF INTENT

Interested parties contend that current law is structured such that when a convicted felon is released from county lockup to the custody of the Texas Department of Criminal Justice (TDCJ), there is a chance that the application of their good conduct time will make them eligible for immediate release without actually entering a TDCJ facility. These parties have raised concern that this does not provide enough time to notify victims of the person's release. H.B. 721 seeks to ensure that a felon sentenced to a TDCJ facility serves a minimum amount of time in a TDCJ facility before release to mandatory supervision and that victims are notified as soon as practicable by TDCJ.

H.B. 721 amends current law relating to the release to mandatory supervision of certain inmates confined in a county jail.

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 Subchapter E, Chapter 508, Government Code, by adding Section 508.1471, as follows:

Sec. 508.1471. RELEASE TO MANDATORY SUPERVISION OF CERTAIN INMATES CONFINED IN COUNTY JAIL. (a) Provides that Section 508.1471 applies only to an inmate who, at the time the inmate is sentenced to a term of imprisonment in the Texas Department of Criminal Justice (TDCJ), is:

- (1) confined in a county jail; and
- (2) eligible for immediate release to mandatory supervision.

(b) Requires TDCJ, notwithstanding any other law, to take custody of an inmate to whom this section applies before the inmate is authorized to be released to mandatory supervision.

(c) Requires TDCJ, as soon as practicable after taking an inmate into custody under Subsection (b), to provide notice to a victim, guardian of a victim, or close relative of a deceased victim that the inmate is eligible for release to mandatory supervision. Requires that the notice be sent to the address provided in the victim impact statement or submitted under Section 508.117(b) (relating to a written request for notification of parole consideration filed with the division) and state that the victim, guardian, or close relative is authorized to submit, not later than the 14th day after the date of the notice, a written statement to the parole panel considering the inmate's release regarding:

- (1) the offense;
- (2) the inmate; and
- (3) the effect of the offense on the victim, guardian, or close relative.

(d) Authorizes the parole panel, notwithstanding any other law, to interview a victim, guardian of a victim, or close relative of a deceased victim regarding the release of the inmate to mandatory supervision.

(e) Defines "victim," "guardian of a victim," and "close relative of a deceased victim."

SECTION 2. Provides that the change in law made by this Act applies to a defendant who is sentenced for an offense on or after the effective date of this Act, regardless of whether the offense is committed before, on, or after that date.

SECTION 3. Effective date: September 1, 2021.