

## **BILL ANALYSIS**

Senate Research Center  
81R3794 PEP-D

S.B. 1206  
By: Hinojosa  
Criminal Justice  
3/29/2009  
As Filed

### **AUTHOR'S / SPONSOR'S STATEMENT OF INTENT**

Offenders who are required by the Texas Board of Pardons and Paroles (BPP) to complete a treatment program as a condition of release are assigned a program start date that determines when an offender should be enrolled in a program to satisfy the conditions of release. BPP's target release date is calculated from the estimated program start date based on the length of the particular program. Offenders sometimes complete the requirements for release earlier than the estimated target release date set by BPP but are not allowed to be released until they have met their target release date. Delays in releasing offenders approved for parole limits bed capacity and results in increased costs to the state. This bill creates a range of release dates in lieu of the target release date and is expected to reduce the prison population by expediting the release offenders and decrease costs to the state.

As proposed, S.B. 1206 amends Section 508.141 (Authority to Consider and Order Release on Parole), Government Code, to require a parole panel to establish a range of days within which the Texas Department of Criminal Justice is authorized to release an offender who has completed the parole panel's specified program requirements.

### **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 508.141, Government Code, by adding Subsections (b-1), (d-1), and (d-2) and amending Subsection (d), as follows:

(b-1) Requires the Texas Department of Criminal Justice (TDCJ), if a parole panel requires, as a condition of release, that an inmate complete a specific TDCJ rehabilitation program before release, to place the inmate in the program specified by the parole panel, except that TDCJ is authorized to place the inmate in a different program with the approval of the parole panel.

(d) Authorizes a parole panel to release an inmate on parole during the parole month established for the inmate, or during any applicable range of dates established under Subsection (d-1), if the panel determines that the inmate's release will not increase the likelihood of harm to the public.

(d-1) Requires a parole panel that, as a condition of release, requires an inmate to complete a specific TDCJ rehabilitation program, to specify a range of dates, based on the date the inmate is likely to have completed the specific program, during which TDCJ is authorized to release the inmate, if the inmate has successfully completed the program specified by the parole panel, and satisfied all other conditions of release specified by the parole panel.

(d-2) Prohibits the range of dates specified by the parole panel under Subsection (d-1) from beginning earlier than the 45th day before any applicable release date established for the inmate and requires that the dates be a range of at least 30 days.

SECTION 2. Makes application of this Act prospective.

SECTION 3. Effective date: September 1, 2009.