

## CHAPTER 397

## S.B. No. 338

## AN ACT

relating to authorizing as a condition of parole or release to mandatory supervision for certain releasees that the releasees submit to treatment or counseling for substance abuse.

*Be it enacted by the Legislature of the State of Texas:*

SECTION 1. Subsection (g), Section 8, Article 42.18, Code of Criminal Procedure, is amended to read as follows:

(g) The Texas Board of Criminal Justice may adopt such other reasonable rules not inconsistent with law as it may deem proper or necessary with respect to the eligibility of prisoners for parole and mandatory supervision, the conduct of parole and mandatory supervision hearings, or conditions to be imposed upon parolees and persons released to mandatory supervision. Each person to be released on parole shall be furnished a contract setting forth in clear and intelligible language the conditions and rules of parole. The parole panel may include as a condition of parole or mandatory supervision any condition that a court may impose on a probationer under Article 42.12 of this code, including the condition that the person released submit to testing for controlled substances or submit to electronic monitoring if the parole panel determines that absent testing for controlled substances or participation in an electronic monitoring program the person would not be released on parole. Acceptance, signing, and execution of the contract by the inmate to be paroled shall be a precondition to release on parole. Persons released on mandatory supervision shall be furnished a written statement setting forth in clear and intelligible language the conditions and rules of mandatory supervision. The parole panel may also require as a condition of parole or release to mandatory supervision that the person make payments in satisfaction of damages the person is liable for under Article 6184p, Revised Statutes. The parole panel shall require as a condition of parole or mandatory supervision that the person register under Article 6252-13c.1, Revised Statutes. *The parole panel may require as a condition of parole or release to mandatory supervision that the person attend counseling sessions for substance abusers or participate in substance abuse treatment services in a program or facility approved or licensed by the Texas Commission on Alcohol and Drug Abuse if the person was sentenced for an offense involving controlled substances or the panel determines that the defendant's substance abuse was connected to the commission of the offense.*

SECTION 2. This Act takes effect September 1, 1993.

SECTION 3. The importance of this legislation and the crowded condition of the calendars in both houses create an emergency and an imperative public necessity that the

constitutional rule requiring bills to be read on three several days in each house be suspended, and this rule is hereby suspended.

Passed the Senate on April 14, 1993, by a viva-voce vote; passed the House on May 22, 1993, by a non-record vote.

Approved June 2, 1993.

Effective Sept. 1, 1993.