

CHAPTER 449

H.B. No. 150

AN ACT

relating to the notification of victims before the release of certain prisoners.

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

SECTION 1. Section 8, Article 42.18, Code of Criminal Procedure, as added by Chapter 427, Acts of the 69th Legislature, Regular Session, 1985, is amended by adding Subsections (f-3) and (f-4) to read as follows:

*(f-3) If a victim, guardian of a victim, or close relative of a deceased victim would be entitled to notification of parole consideration by the board but for failure by that person to provide a victim impact statement containing the person's name and address, the person is nonetheless entitled to receive notice if the person files with the board a written request for that notification. After receiving such a written request, the board shall grant to the person all the privileges to which the person would be entitled had the person submitted a victim impact statement. Before a prisoner is released from the Texas Department of Corrections on parole or on the release of a prisoner on mandatory supervision, the board shall give notice of the release to any person entitled to notification of parole consideration for the prisoner because the person filed with the board a victim impact statement or a request for notification of a parole consideration.*

*(f-4) Except as necessary to comply with this section, the board or the Texas Department of Corrections may not disclose to any person the name or address of a victim or other person entitled to notice under this section unless the victim or that person approves the disclosure or the board or the department is ordered to disclose the information by a court of competent jurisdiction after the court determines that there is good cause for disclosure.*

SECTION 2. This Act applies to notification of consideration for parole or notification of a prisoner's release that occurs on or after the effective date of this Act, and whether or not the prisoner who is the subject of the consideration for parole or who is to be released is sentenced before, on, or after the effective date of this Act.

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, and that this Act take effect and be in force from and after its passage, and it is so enacted.

Passed by the House on March 30, 1987, by the following vote: Yeas 142, Nays 1, 1 present, not voting; that the House refused to concur in Senate amendments to H.B. No. 150 on May 26, 1987, and requested the appointment of a conference committee to consider the differences between the two houses; and that the House adopted the conference committee report on H.B. No. 150 on May 30, 1987, by a non-record vote. Passed by the Senate, with amendments, on May 21, 1987, by the following vote: Yeas 30, Nays 0; at the request of the House, the Senate appointed a conference committee to consider the differences between the two houses; and that the Senate adopted the conference committee report on H.B. No. 150 on May 31, 1987, by the following vote: Yeas 29, Nays 0.

Approved June 17, 1987.

Effective Aug. 31, 1987, 90 days after date of adjournment.