

BILL ANALYSIS

H.B. 478
By: Dutton
Criminal Jurisprudence
Committee Report (Unamended)

BACKGROUND AND PURPOSE

Texas law allowing for the restoration of certain civil rights forfeited as a result of a criminal conviction currently applies to certain federal offenses and offenses under the laws of another country but not to offenses under Texas law. H.B. 478 seeks to address this issue.

CRIMINAL JUSTICE IMPACT

It is the committee's opinion that this bill does not expressly create a criminal offense, increase the punishment for an existing criminal offense or category of offenses, or change the eligibility of a person for community supervision, parole, or mandatory supervision.

RULEMAKING AUTHORITY

It is the committee's opinion that this bill does not expressly grant any additional rulemaking authority to a state officer, department, agency, or institution.

ANALYSIS

H.B. 478 amends the Code of Criminal Procedure to include any offense under state law among the offenses for which a convicted individual is authorized to submit an application for restoration of any civil rights forfeited under state law as a result of the conviction. The bill makes the limitation on applying for restoration of civil rights until three or more years after the conviction occurred applicable to all eligible offenses, regardless of whether the offense is a federal offense, an offense under the laws of another country, or an offense under state law. The bill applies to a defendant who is convicted of an offense before, on, or after the bill's effective date.

EFFECTIVE DATE

September 1, 2015.