

BILL ANALYSIS

H.B. 2036
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Corrections
Committee Report (Unamended)

BACKGROUND AND PURPOSE

It has been noted that the Texas Department of Criminal Justice (TDCJ) has a strict interpretation of the term "close relative of a deceased victim" as used in state law when governing parole and mandatory supervision. Under this interpretation, the definition excludes certain individuals from guaranteed victim rights, such as the right to testify at a parole hearing of their close relative's offender. While all individuals who wish to protest a parole are currently able to register in the TDCJ victim services division notification system and are being granted that opportunity by the current Board of Pardons and Paroles (BPP), this opportunity comes at the discretion of the BPP and has the potential to change over time. H.B. 2036 expands the definition of "close relative of a deceased victim" to include close relatives of victims who die due to circumstances not related to the offense, in order to allow these relatives to receive victims' rights and continue to exercise these rights on behalf of the victim who has died.

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. 2036 amends the Government Code to expand the definition of "close relative of a deceased victim" for purposes of certain provisions relating to the release of an inmate on parole or to mandatory supervision by including a qualified relative of a deceased victim whose death was not related to the committed offense.

EFFECTIVE DATE

September 1, 2021.