

RESOLUTION ANALYSIS

C.S.H.J.R. 10
By: Thompson, Senfronia
Corrections
Committee Report (Substituted)

BACKGROUND AND PURPOSE

The scope of judicial clemency is limited by state law to setting aside certain types of convictions and making certain modifications to sentences. Current law is silent, however, on whether parolees may request early termination of their sentences. C.S.H.J.R. 10 sets out a process by which eligible parolees can request a court to grant early termination and provides for such early termination by the court, subject to certain conditions.

CRIMINAL JUSTICE IMPACT

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

ANALYSIS

C.S.H.J.R. 10 proposes an amendment to the Texas Constitution to authorize the legislature to enact laws authorizing a court to terminate the sentence of a person who has successfully served the specified number of years on parole required by law.

ELECTION DATE

The constitutional amendment proposed by this joint resolution will be submitted to the voters at an election to be held November 2, 2021.

COMPARISON OF ORIGINAL AND SUBSTITUTE

While C.S.H.J.R. 10 may differ from the original in minor or nonsubstantive ways, the following summarizes the substantial differences between the introduced and committee substitute versions of the resolution.

The substitute changes the laws proposed to be authorized by a constitutional amendment from laws authorizing a court to grant a commutation of punishment to a person who has successfully served the specified number of years on parole required by law, as proposed in the original, to laws authorizing a court to terminate the sentence of a person who meets the same condition. The substitute revises the caption to reflect this change.