

BILL ANALYSIS

Senate Research Center

S.B. 36
By: Nelson
Criminal Justice
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As Filed

DIGEST

Current law allows for the release of certain inmates on parole, including murderers and other violent offenders, sexual offenders, and repeat felons. This bill would deny those inmates eligibility for release on parole.

PURPOSE

As proposed, S.B. 36 prohibits inmates that are sentenced to life or death, as well as inmates serving time for repeat felonies and other crimes, from becoming eligible for release on parole. The bill also prohibits repeat felons from being released to mandatory supervision.

RULEMAKING AUTHORITY

This bill does not grant any additional rulemaking authority to a state officer, institution, or agency.

SECTION BY SECTION ANALYSIS

SECTION 1. Amends Section 8(b), Article 24.18, Code of Criminal Procedure, as follows:

(b) (1) Provides that an inmate, rather than a prisoner under sentence of death, is not eligible for release on parole if the inmate is under the sentence of death. Deletes text regarding the eligibility of a prisoner sentenced to life for release on parole after 35 and 40 calendar years. Makes conforming changes.

(2) Provides that if an inmate is serving a sentence for an offense described by this subdivision and Subdivision (1), the eligibility of the inmate for release on parole is controlled by Subdivision (1). Makes conforming changes.

(3) Makes conforming changes.

SECTION 2. Amends Section 8(c), Article 42.18, Code of Criminal Procedure, by adding Subsection 13, to prohibit a prisoner from being released to mandatory supervision if the prisoner is serving a sentence for or has previously been convicted of a felony for which the punishment is increased under Section 12.42, Penal Code, which pertains to repeat felons.

SECTION 3. Makes application of Section 1 of this Act prospective.

SECTION 4. Makes application of Section 2 of this Act prospective.

SECTION 5. Effective date: September 1, 1997.

SECTION 6. Emergency clause.