

BILL ANALYSIS

Senate Research Center
76R1509 GWK-D

S.B. 25
By: Nelson
Criminal Justice
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As Filed

DIGEST

Currently, Texas law allows an inmate who receives a life sentence for certain offenses to be eligible for parole after serving a portion of the sentence. S.B. 25 deletes provisions providing for parole for certain offenses.

PURPOSE

As proposed, S.B. 25 creates a penal sentence of life in prison with no possibility of parole for certain offenses.

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 508.145, Government Code, to create a life sentence with no possibility of parole for a capital offense or certain other offenses where a life sentence is imposed. Makes conforming changes.

SECTION 2. Amends Section 508.149(a), Government Code, to establish that an inmate may not be released to mandatory supervision if the inmate is serving a sentence for or has been previously convicted of a felony for which the punishment is increased under Section 12.42, Penal Code (Penalties for Repeat and Habitual Felony Offenders).

SECTION 3. Establishes that in Section 311.031(c), Government Code, an amendment made to a code's source law at the same session the code is enacted is preserved and given effect as part of the code provision that revised the statute so amended. Provides that Section 508.145(c), Government Code, gives effect to changes made to that section by Section 3, Chapter 665, Acts of the 75th Legislature, Regular Session, 1997. Establishes that Section 508.149(a), Government Code, gives effect to changes made to that section by Chapter 238, Acts of the 75th Legislature, Regular Session, 1997. Provides that to the extent of any conflict, this Act prevails over another Act of the 76th Legislature, Regular Session, 1999, to the extent of any nonsubstantive additions and corrections.

SECTION 4. Makes application of this Act prospective.

SECTION 5. Effective date: September 1, 1999.

SECTION 6. Emergency clause.