

## **BILL ANALYSIS**

Senate Research Center

H.B. 291  
By: Goolsby (Carona)  
Criminal Justice  
5/6/2005  
Engrossed

### **AUTHOR'S/SPONSOR'S STATEMENT OF INTENT**

Current Texas law does not provide for notification to the victims or family of victims of violent crimes when a defendant has successfully utilized the insanity plea and is discharged or released to outpatient care. H.B. 291 provides for such notification, thus affording victims the same notification as when an offender is criminally convicted of a violent crime.

### **RULEMAKING AUTHORITY**

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

### **SECTION BY SECTION ANALYSIS**

SECTION 1. Amends Section 4(d), Article 46.03, Code of Criminal Procedure, by adding Subdivision (8), as follows:

(8) Victim Notification of Release. Requires the clerk of the court issuing the order, if the court issues an order under Subdivision (4) (Out-patient Supervision) or (5) (Judicial Release) that requires the release of an acquitted person on discharge or on a regimen of outpatient care, using the information provided on any victim impact statement received by the court under Article 56.03 (Victim Impact Statement) or other information made available to the court, to provide name, address, and phone number information to the Texas Department of Criminal Justice victim services division to enable the division to notify the victim or the victim's guardian or close relative of the release. Requires the victim services division to notify any victim or guardian or close relative named in the victim impact statement or other information. Authorizes the clerk of the court, notwithstanding Article 56.03(f) (relating to the disclosure of the victim's impact statement), to inspect a victim impact statement for the purpose of notification under this subdivision.

SECTION 2. Effective date: September 1, 2005.