

## **BILL ANALYSIS**

Senate Research Center  
81R1341 HLT-D

H.B. 1148  
By: Thompson et al. (Ellis)  
Criminal Justice  
5/1/2009  
Engrossed

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

The administration of the death penalty in Texas includes the authority of the governor to grant a reprieve, because of the possibility that mitigating information may arise that would warrant a pardon or lesser sentence. The State of Texas currently allows the governor to issue only one 30-day reprieve in a capital case. This bill gives the governor the statutory authority to issue multiple 30-day reprieves in capital cases when warranted.

H.B. 1148 amends current law relating to the authority of the governor to grant one or more reprieves in a capital case.

### **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 Article 48.01, Code of Criminal Procedure, to increase the number of reprieves the governor has the power to grant, from one reprieve for a period not to exceed 30 days to one or more reprieves in any capital case for a period not to exceed 30 days for each reprieve.

SECTION 2. Effective date: January 1, 2010, contingent upon approval by the voters of the constitutional amendment relating to authorizing the governor to grant one or more reprieves in a capital case.