

BILL ANALYSIS

Senate Research Center
82R7455 MAW-D

S.B. 884
By: Whitmire
Jurisprudence
4/15/2011
As Filed

AUTHOR'S / SPONSOR'S STATEMENT OF INTENT

Currently, an inmate released to parole or mandatory supervision forfeits any good conduct time credit that is not considered flat time (actual day for day). The accrued good time, which is earned by working, attending a vocational or educational program, and by remaining disciplinary free is lost. If an offender's parole or mandatory supervision is revoked and the offender returns to the Texas Department of Criminal Justice, any good conduct time earned before release is not credited back to the individual. S.B. 884 amends the Government Code to allow for good conduct time accrued during the period of incarceration prior to release on parole to be restored if the offender is returned on a revocation.

As proposed, S.B. 884 amends current law relating to the retention of good conduct time by an inmate whose release on parole or to mandatory supervision is revoked.

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. Reenacts Section 498.004(b), Government Code, as amended by Chapters 249 (S.B. 44) and 321 (H.B. 2162), Acts of the 74th Legislature, Regular Session, 1995, and amends it, as follows:

(b) Prohibits the Texas Department of Criminal Justice (TDCJ), on the revocation of parole or mandatory supervision of an inmate, from forfeiting any of the good conduct time accrued by the inmate before the inmate was released on parole or to mandatory supervision. Authorizes the inmate, on return to TDCJ, to accrue additional good conduct time for subsequent time served in TDCJ. Deletes existing text providing that on the revocation of parole or mandatory supervision of an inmate, the inmate forfeits all good conduct time previously accrued. Deletes existing text authorizing the inmate, on return to the institutional division, to accrue new good conduct time for subsequent time served in the division. Deletes existing text prohibiting TDCJ from restoring good conduct time forfeited on a revocation.

SECTION 2. Makes application of the change in law made by this Act to a revocation of the parole or mandatory supervision of a person, prospective.

SECTION 3. Effective date: September 1, 2011.