

BILL ANALYSIS

Senate Research Center
84R4454 MAW-D

H.B. 1015
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Criminal Justice
5/17/2015
Engrossed

AUTHOR'S / SPONSOR'S STATEMENT OF INTENT

H.B. 1015 provides a simple change in the law that will notify sentencing courts when defendants serving on state jail felonies are eligible for community supervision programs. Currently, sentencing judges already have discretion to pull a defendant out of a state jail facility and place them in community supervision after they have served 75 days in the jail. But there is currently no mechanism in place to notify judges when a defendant has served 75 days.

H.B. 1015 requires the Texas Department of Criminal Justice to use e-mail or other electronic communication to notify sentencing courts about the date on which the defendant will have served 75 days in the facility. Because TDCJ already sends e-mails to sentencing courts to notify them about a defendant's participation in educational and work programs, this is only a minor additional requirement for TDCJ. H.B. 1015 will assist judges managing busy dockets by providing a reminder of when defendants are eligible for community supervision.

Community supervision programs cost about \$10 per day per offender, compared to a state jail average of about \$43 per day per offender. In addition, offenders who go through community supervision programs have lower recidivism rates because they are introduced back into society while still under supervision. It's important to emphasize that judges will still maintain complete authority over whether a defendant is a good candidate for community supervision. This bill will only provide them better control over making that decision.

H.B. 1015 amends current law relating to notice provided to a court regarding certain defendants placed on state jail felony community supervision.

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 15(f), Article 42.12, Code of Criminal Procedure, by adding Subdivision (2-a), as follows:

(2-a) Requires the Texas Department of Criminal Justice, not later than the 60th day after the date a defendant is received into the custody of a state jail felony facility, to notify the sentencing court of the date on which the defendant will have served 75 days in the facility. Requires that the notice be provided by e-mail or other electronic communication.

SECTION 2. Provides that the change in law made by this Act to Section 15(f), Article 42.12, Code of Criminal Procedure, applies only to a defendant who receives a sentence of confinement in a state jail on or after the effective date of this Act. Makes application of this Act prospective.

SECTION 3. Effective date: September 1, 2015.