

BILL ANALYSIS

Senate Research Center

S.B. 51
By: Shapiro
Criminal Justice
2-4-97
As Filed

DIGEST

Currently, Texas law does not impose any sanctions against an inmate who contacts the inmate's victim. S.B. 51 would forfeit an inmate's good conduct time in the event the inmate contacts the victim if the victim is younger than 17 at the time of the commission of the offense. This bill provides exceptions for cases in which Department of Criminal Justice has received written consent from the victim's parent or the victim, if the victim is over 17 at the time of giving consent.

PURPOSE

As proposed, S.B. 51 prohibits an inmate from contacting a victim for which the inmate is serving a sentence under certain conditions.

RULEMAKING AUTHORITY

Rulemaking authority is granted to the Texas Board of Criminal Justice under SECTION 1 (Section 498.0042 (a) Government Code), of this bill.

SECTION BY SECTION ANALYSIS

SECTION 1. Amends Chapter 498, Government Code, by adding Section 498.0042, as follows:

Sec. 498.0042. FORFEITURE FOR CONTACTING VICTIMS. (a) Requires the Texas Board of Criminal Justice to adopt rules that prohibit an inmate in the institutional division or a transfer facility from contacting by letter, telephone, or any other means, either directly or indirectly, a victim of the offense for which the inmate is serving a sentence, if certain conditions are met.

(b) Requires the Texas Department of Criminal Justice (department) to forfeit all or any part of the inmate's accrued good conduct time, if during the actual term of imprisonment of an inmate in the institutional division or a transfer facility, the inmate violates a rule adopted under Subsection (a). Prohibits the department from restoring good conduct time forfeited under this subsection.

SECTION 2. Makes application of this Act prospective.

SECTION 3. Effective date: September 1, 1997.

SECTION 4. Emergency clause.