

BILL ANALYSIS

Senate Research Center

H.B. 1896
By: Hodge (Whitmire)
Criminal Justice
5/19/2005
Engrossed

AUTHOR'S/SPONSOR'S STATEMENT OF INTENT

In 2001, H.B. 1649 was passed. Section 7 of the bill amended Section 508.283, Government Code, by adding Subsection (c) which stated that if an offender's parole, mandatory supervision, or conditional pardon of a person was revoked, the person may be required to serve the remaining portion of the sentence on which the person was released.

If, at the issuance of the warrant or summons, the person has not served at least half of the sentence, the person is required to serve the entire sentence back in custody. However, if at the issuance of the warrant or summons, the person has served at least half of the person's parole or mandatory supervision, the person is required to serve only the remaining portion of the sentence in custody. This affected offenders whose revocation came on or after September 1, 2001. H.B. 1896 would make that provision retroactive.

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. Provides that notwithstanding Section 11 (making application of Section 508.283, Government Code, as amended by that Act, prospective), Chapter 856, Acts of the 77th Legislature, 2001, the change in law made by Section 7 (Sanctions) of that Act to Section 508.283, Government Code, applies to the calculation of the remaining sentence for an inmate whose release on parole, mandatory supervision, or conditional pardon is revoked, regardless of whether the revocation occurred before, on, or after September 1, 2001.

SECTION 2. Effective date: September 1, 2006.