

BILL ANALYSIS

Senate Research Center
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S.B. 883
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Criminal Justice
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As Filed

AUTHOR'S / SPONSOR'S STATEMENT OF INTENT

In 2001, the 77th Legislature enacted H.B. 1649. Section 7 of the bill amended Section 508.283 (Sanctions), Government Code, by adding Subsection (c), which states that if the parole, mandatory supervision, or conditional pardon of a person is 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 initiating the revocation process, 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 parole or mandatory supervision sentence, then the person is required to serve only the remaining portion of the sentence in custody. This law affects offenders whose revocation occurred after September 1, 2001.

S.B. 883 amends the Government Code by granting a time credit for the period of time spent on parole, mandatory supervision, or conditional pardon till the time of noncompliance, regardless of the amount of time spent on conditional release.

As proposed, S.B. 883 amends current law relating to awarding credit to an inmate for certain time between release on and revocation of parole, mandatory supervision, or conditional pardon.

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 508.283(c), Government Code, as follows:

(c) Authorizes the person, if the parole, mandatory supervision, or conditional pardon of a person is revoked, rather than if the parole, mandatory supervision, or conditional pardon of a person other than a person described by Section 508.149(a) (relating to prohibiting release to mandatory supervision if the inmate is serving a sentence for or has been previously convicted of certain crimes) is revoked, to be required to serve the remaining portion of the sentence on which the person was released. Provides that the remaining portion of the sentence is to be served with credit for the time from the date of the person's release to the date of the violation that resulted in the revocation. Deletes existing text providing that for a person who on the date of issuance of a warrant or summons initiating the revocation process is subject to a sentence the remaining portion of which is greater than the amount of time from the date of the person's release to the date of issuance of the warrant or summons, the remaining portion is to be served without credit for the time from the date of the person's release to the date of revocation. Deletes existing text providing that for a person who on the date of issuance of the warrant or summons is subject to a sentence the remaining portion of which is less than the amount of time from the date of the person's release to the date of issuance of the warrant or summons, the remaining portion is to be served without credit for an amount of time equal to the remaining portion of the sentence on the date of issuance of the warrant or citation.

SECTION 2. Repealer: Section 508.283(b) (relating to requiring a person to serve the remaining portion of the sentence on which the person was released if parole, mandatory supervision, or conditional pardon is revoked), Government Code.

SECTION 3. Makes application of the change in law made by this Act to the calculation of the remaining sentence for an inmate whose release on parole, mandatory supervision, or conditional pardon is revoked, prospective.

SECTION 4. Effective date: September 1, 2011.