By: _____ H.B. No. _____

A BILL TO BE ENTITLED

AN ACT

relating to the date of the next parole review following an initial denial of parole for certain inmates convicted of violent offenses.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

SECTION 1. Section 508.141, Government Code, is amended by adding Subsections (g-2), (g-3), (g-4), and (g-5) to read as follows:

(g-2) In this subsection and Subsections (g-3), (g-4), and (g-5):

(1) "Covered case" means the case of an inmate:

(A) who is serving a sentence for an offense that is an aggravated violent offense; or

(B) who is a repeat violent offender.

(2) "Aggravated violent offense" means an offense under:

(A) Section 19.02, Penal Code (murder);

(B) Section 19.03, Penal Code (capital murder);

(C) Section 20.04, Penal Code (aggravated kidnapping);

(D) Section 22.02, Penal Code (aggravated assault);

(E) Section 22.021, Penal Code (aggravated sexual assault);

(F) Section 29.03, Penal Code (aggravated robbery); or

(G) Section 22.04, Penal Code, if the offense is punishable as a felony of the first degree (serious bodily injury to a child, elderly individual, or disabled individual).

(3) "Repeat violent offender" means an inmate who, before the commission of the offense for which the inmate is serving a sentence, was finally convicted on two separate occasions of a violent offense. For purposes of this subdivision, a prior conviction

includes a conviction under the laws of another state or of the United States for an offense containing elements that are substantially similar to the elements of a violent offense.

(4) "Violent offense" means:

(A) an offense under Section 19.02, 19.03, 20.04, 20A.02, 20A.03, 21.02, 22.011, 22.02, 22.021, 29.03, or 43.25, Penal Code;

(B) an offense under Section 22.04, Penal Code, if the offense is punishable as a felony of the first or second degree; or

(C) any felony offense for which the judgment contains an affirmative finding that a deadly weapon was used or exhibited during the commission of the offense or during immediate flight from the commission of the offense, as described by Article 42A.054(c) or (d), Code of Criminal Procedure.

(g-3)(a) This subsection applies only to the first occasion

on which a parole panel denies release to parole for an inmate in a covered case. The spacing of any subsequent review is governed by Subsection (g) or (g-1), as applicable, and by board policy adopted under those subsections.

(b) Notwithstanding Subsection (g) or (g-1) or board policy adopted under those subsections, if a parole panel denies release to parole for an inmate in a covered case, the panel shall set the next review date at a date that is not earlier than:

(1) the 10th anniversary of the date of the denial; or

(2) for an inmate serving a sentence with a determinate discharge date, the date that is two years before the inmate's projected discharge date, if that date is earlier than the date described by Subdivision (1).

(c) The date prescribed by Subsection (g-3)(b) is a minimum. A parole panel may set the next review date at any later date permitted by law.

(d) If, on the date of the denial, the period remaining on an inmate's sentence is two years or less, Subsection (g-3)(b) does not apply, and the panel shall set the next review date in accordance with Subsection (g) or (g-1), as applicable.

(e) This subsection does not change the date on which an inmate becomes eligible for release to parole under Section 508.145 or any other law, and does not affect an inmate's eligibility for mandatory supervision under Section 508.147 or Section 508.149.

(g-4) Subsection (g-3) does not apply to an inmate who is medically incapacitated or terminally ill, including an inmate whose release is being considered under Section 508.146 (medically recommended intensive supervision). For an inmate described by this subsection, the panel shall set the next review date in accordance with Subsection (g) or (g-1), as applicable.

(g-5)(a) An inmate in a covered case to whom a next review date has been set under Subsection (g-3) may petition

the board to advance the next review date on a showing of changed circumstances or new information material to the panel's assessment of the inmate's readiness for release.

(b) A petition under this subsection must be in writing and must state the changed circumstances or new information relied on.

(c) Before acting on a petition under this subsection, the board shall notify each victim of the offense, or the victim's representative, who is entitled to notice under Chapter 56A, Code of Criminal Procedure, and shall provide a reasonable opportunity for the victim or representative to submit a written statement or other input for the panel's consideration.

(d) On a petition under this subsection, a parole panel may advance the next review date to an earlier date the panel determines is appropriate, or may deny the petition and leave the date set under Subsection (g-3) unchanged. The granting of a petition advances the review date only; it does

not order or guarantee release.

(e) The board may not advance a review date in a covered case on its own motion.

SECTION 2. The change in law made by this Act applies to a denial of release to parole that occurs on or after the effective date of this Act, regardless of whether the offense for which the inmate is serving a sentence was committed, or the sentence was imposed, before, on, or after that date.

SECTION 3. If any provision of this Act or its application to any person or circumstance is held invalid, the invalidity does not affect other provisions or applications of this Act that can be given effect without the invalid provision or application, and to this end the provisions of this Act are severable.

SECTION 4. This Act takes effect September 1, 2027.