

By: Gattis

H.B. No. 681

A BILL TO BE ENTITLED

AN ACT

1  
2 relating to the forfeiture of good conduct time from inmates who  
3 file frivolous applications for writ of habeas corpus.

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

5 SECTION 1. Section 498.0045(a), Government Code, is amended  
6 to read as follows:

7 (a) In this section, "final order" means a certified copy of  
8 a final order of a state or federal court that dismisses as  
9 frivolous or malicious a lawsuit, including a proceeding arising  
10 from an application for writ of habeas corpus, brought by an inmate  
11 while the inmate was in the custody of the department or confined in  
12 county jail awaiting transfer to the department following  
13 conviction of a felony or revocation of community supervision,  
14 parole, or mandatory supervision.

15 SECTION 2. This Act applies only to a forfeiture of good  
16 conduct time based on the filing in court of an application for writ  
17 of habeas corpus on or after the effective date of this Act.

18 SECTION 3. This Act takes effect September 1, 2005.