

AN ACT

relating to victim notification regarding the release of a defendant who was acquitted by reason of insanity in a criminal case.

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

SECTION 1. Section 4(d)(8), Article 46.03, Code of Criminal Procedure, is transferred to Subchapter A, Chapter 46C, Code of Criminal Procedure, redesignated as Article 46C.003, Code of Criminal Procedure, and amended to read as follows:

Art. 46C.003. VICTIM NOTIFICATION OF RELEASE [~~(8) Victim Notification of Release~~]. If the court issues an order [~~under Subdivision (4) or (5)~~] that requires the release of an acquitted person on discharge or on a regimen of outpatient care, the clerk of the court issuing the order, using the information provided on any victim impact statement received by the court under Article 56.03 or other information made available to the court, shall [~~provide name, address, and phone number information to the Texas Department of Criminal Justice victim services division to enable the division to~~] notify the victim or the victim's guardian or close relative of the release. [~~The victim services division shall notify any victim or guardian or close relative named in the victim impact statement or other information.~~] Notwithstanding Article 56.03(f), the clerk of the court may inspect a victim impact statement for the purpose of notification under this article [~~subdivision~~].

1 SECTION 2. This Act takes effect immediately if it receives
2 a vote of two-thirds of all the members elected to each house, as
3 provided by Section 39, Article III, Texas Constitution. If this
4 Act does not receive the vote necessary for immediate effect, this
5 Act takes effect September 1, 2011.

President of the Senate

Speaker of the House

I certify that H.B. No. 2124 was passed by the House on April 6, 2011, by the following vote: Yeas 139, Nays 0, 1 present, not voting.

Chief Clerk of the House

I certify that H.B. No. 2124 was passed by the Senate on May 25, 2011, by the following vote: Yeas 31, Nays 0.

Secretary of the Senate

APPROVED: _____

Date

Governor