

By: Workman

H.B. No. 2124

A BILL TO BE ENTITLED

AN ACT

1
2 relating to victim notification regarding the release of a
3 defendant who was acquitted by reason of insanity in a criminal
4 case.

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

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

10 Art. 46C.003. VICTIM NOTIFICATION OF RELEASE [~~(8) Victim~~
11 ~~Notification of Release~~]. If the court issues an order [~~under~~
12 ~~Subdivision (4) or (5)~~] that requires the release of an acquitted
13 person on discharge or on a regimen of outpatient care, the clerk of
14 the court issuing the order, using the information provided on any
15 victim impact statement received by the court under Article 56.03
16 or other information made available to the court, shall provide
17 name, address, and phone number information to the head of the
18 facility to which the acquitted person was committed or placed or to
19 the person responsible for administering a regimen of outpatient or
20 community-based treatment and supervision, as applicable, [Texas
21 ~~Department of Criminal Justice victim services division]~~ to enable
22 the person [~~division~~] to notify the victim or the victim's guardian
23 or close relative of the release. On receipt of the information,
24 the person [~~The victim services division~~] shall notify any victim

1 or guardian or close relative named in the victim impact statement
2 or other information. Notwithstanding Article 56.03(f), the clerk
3 of the court may inspect a victim impact statement for the purpose
4 of notification under this article [~~subdivision~~].

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