

1-1 By: Whitmire S.B. No. 582
 1-2 (In the Senate - Filed January 24, 2017; February 8, 2017,
 1-3 read first time and referred to Committee on Criminal Justice;
 1-4 March 23, 2017, reported favorably by the following vote: Yeas 6,
 1-5 Nays 0; March 23, 2017, sent to printer.)

1-6 COMMITTEE VOTE

	Yea	Nay	Absent	PNV
1-7				
1-8	X			
1-9	X			
1-10	X			
1-11			X	
1-12	X			
1-13	X			
1-14			X	
1-15	X			
1-16			X	

1-17 A BILL TO BE ENTITLED
 1-18 AN ACT

1-19 relating to the discharge of a prisoner from a county jail.
 1-20 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:
 1-21 SECTION 1. Article 43.13, Code of Criminal Procedure, is
 1-22 amended by amending Subsection (b) and adding Subsections (c), (d),
 1-23 and (e) to read as follows:
 1-24 (b) A defendant convicted of a misdemeanor and sentenced to
 1-25 a term of confinement [~~of more than 30 days~~] discharges the
 1-26 defendant's sentence at any time beginning at [~~between the hours~~
 1-27 ~~of~~] 6 a.m. and ending at 5 p.m. [~~7 p.m.~~] on the day of discharge.
 1-28 (c) Except as provided by Subsections (d) and (e), the
 1-29 sheriff or other county jail administrator shall release a
 1-30 defendant, other than a defendant who is reasonably suspected to be
 1-31 a person with mental illness, at any time beginning at 6 a.m. and
 1-32 ending at 5 p.m. on the day the defendant discharges the defendant's
 1-33 sentence.
 1-34 (d) The sheriff or other county jail administrator may:
 1-35 (1) credit a defendant who will discharge the
 1-36 defendant's sentence and be released from the county jail at 12:01
 1-37 a.m. with not more than 18 hours of time served; and
 1-38 (2) release the defendant at any time beginning at 6
 1-39 a.m. and ending at 5 p.m. on the day preceding the day on which the
 1-40 defendant discharges the defendant's sentence.
 1-41 (e) A sheriff or other county jail administrator may release
 1-42 a defendant from county jail after 5 p.m. and before 6 a.m. if the
 1-43 defendant:
 1-44 (1) agrees to or requests a release after 5 p.m. and
 1-45 before 6 a.m.;
 1-46 (2) is subject to an arrest warrant issued by another
 1-47 county and is being released for purposes of executing that arrest
 1-48 warrant;
 1-49 (3) is being transferred to the custody of another
 1-50 state, a unit of the federal government, or a facility operated by
 1-51 or under contract with the Texas Department of Criminal Justice; or
 1-52 (4) is being admitted to an inpatient mental health
 1-53 facility or a state supported living center for court-ordered
 1-54 mental health or intellectual disability services.
 1-55 SECTION 2. Section 511.009, Government Code, is amended by
 1-56 adding Subsection (d) to read as follows:
 1-57 (d) The commission may monitor compliance with the
 1-58 provisions of Article 43.13, Code of Criminal Procedure, relating
 1-59 to the release of a prisoner from county jail.
 1-60 SECTION 3. This Act takes effect September 1, 2017.

1-61 * * * * *