

1-1 By: Whitmire S.B. No. 1700
1-2 (In the Senate - Filed March 6, 2019; March 14, 2019, read
1-3 first time and referred to Committee on Criminal Justice;
1-4 April 23, 2019, reported adversely, with favorable Committee
1-5 Substitute by the following vote: Yeas 6, Nays 0; April 23, 2019,
1-6 sent to printer.)

1-7 COMMITTEE VOTE

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

1-16 COMMITTEE SUBSTITUTE FOR S.B. No. 1700 By: Whitmire

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 at any time beginning at 6 a.m. and ending at 5 p.m. on the
1-31 day the defendant discharges the defendant's sentence.
1-32 (d) The sheriff or other county jail administrator may:
1-33 (1) credit a defendant with not more than 18 hours of
1-34 time served; and
1-35 (2) release the defendant at any time beginning at 6
1-36 a.m. and ending at 5 p.m. on the day preceding the day on which the
1-37 defendant discharges the defendant's sentence.
1-38 (e) A sheriff or other county jail administrator may release
1-39 a defendant from county jail after 5 p.m. and before 6 a.m. if the
1-40 defendant:
1-41 (1) agrees to or requests a release after 5 p.m. and
1-42 before 6 a.m.;
1-43 (2) is subject to an arrest warrant issued by another
1-44 county and is being released for purposes of executing that arrest
1-45 warrant;
1-46 (3) is being transferred to the custody of another
1-47 state, a unit of the federal government, or a facility operated by
1-48 or under contract with the Texas Department of Criminal Justice; or
1-49 (4) is being admitted to an inpatient mental health
1-50 facility or a state supported living center for court-ordered
1-51 mental health or intellectual disability services.
1-52 SECTION 2. Section 511.009, Government Code, is amended by
1-53 adding Subsection (e) to read as follows:
1-54 (e) The commission may monitor compliance with the
1-55 provisions of Article 43.13, Code of Criminal Procedure, relating
1-56 to the release of a prisoner from county jail.
1-57 SECTION 3. This Act takes effect September 1, 2019.

1-58 * * * * *