

CHAPTER 1256

H.B. No. 431

1 AN ACT

2 relating to reconsideration of parole eligibility for certain
3 inmates convicted of injury to a child, elderly person, or disabled
4 person.

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

6 SECTION 1. This Act may be cited as Emma's Law.

7 SECTION 2. Section 508.141, Government Code, is amended by
8 amending Subsection (g) and adding Subsection (g-1) to read as
9 follows:

10 (g) The board shall adopt a policy establishing the date on
11 which the board may reconsider for release an inmate who has
12 previously been denied release. The policy must require the board
13 to reconsider for release:

14 (1) an inmate serving a sentence for an offense listed
15 in Section 508.149(a) or for an offense punishable as a felony of
16 the second or third degree under Section 22.04, Penal Code, during a
17 month designated under Subsection (g-1) by the parole panel that
18 denied release; and

19 (2) an inmate other than an inmate described by
20 Subdivision (1) as soon as practicable after the first anniversary
21 of the date of the denial.

22 (g-1) The ~~designated~~ month designated under Subsection
23 (g)(1) by the parole panel that denied release must begin after the
24 first anniversary of the date of the denial and end before the fifth

1 anniversary of the date of the denial. [~~The policy must require the~~
2 ~~board to reconsider for release an inmate other than an inmate~~
3 ~~-serving a sentence for an offense listed in Section 508.149(a) as~~
4 ~~soon as practicable after the first anniversary of the date of the~~
5 ~~denial.~~]

6 SECTION 3. The change in law made by this Act applies on or
7 after the effective date of this Act to the policy adopted by the
8 Board of Pardons and Paroles under Section 508.141(g), Government
9 Code, concerning the time by which the board must reconsider an
10 inmate for release on parole, regardless of whether the inmate is
11 serving a sentence for an offense committed before, on, or after the
12 effective date of this Act.

13 SECTION 4. This Act takes effect immediately if it receives
14 a vote of two-thirds of all the members elected to each house, as
15 provided by Section 39, Article III, Texas Constitution. If this
16 Act does not receive the vote necessary for immediate effect, this
17 Act takes effect September 1, 2013.

David Dewhurst

President of the Senate

Joe Straus
Speaker of the House

I certify that H.B. No. 431 was passed by the House on April 26, 2013, by the following vote: Yeas 139, Nays 0, 2 present, not voting; and that the House concurred in Senate amendments to H.B. No. 431 on May 24, 2013, by the following vote: Yeas 144, Nays 0, 2 present, not voting.

Robert Honey
Chief Clerk of the House

I certify that H.B. No. 431 was passed by the Senate, with amendments, on May 22, 2013, by the following vote: Yeas 31, Nays 0.

Patsy Spaw
Secretary of the Senate

APPROVED: 14 JUNE '13

Date

Rick Perry

Governor

FILED IN THE OFFICE OF THE
SECRETARY OF STATE

10pm O'CLOCK

JUN 14 2013

[Signature]
Secretary of State