

AN ACT

relating to information required to be placed in a pen packet accompanying a defendant on transfer from county jail to the Texas Department of Criminal Justice.

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

SECTION 1. Section 8(a), Article 42.09, Code of Criminal Procedure, is amended to read as follows:

(a) A county that transfers a defendant to the Texas Department of Criminal Justice under this article shall deliver to an officer designated by the department:

(1) a copy of the judgment entered pursuant to Article 42.01 of this code, completed on a standardized felony judgment form described by Section 4 of that article;

(2) a copy of any order revoking community supervision and imposing sentence pursuant to Section 23, Article 42.12, of this code, including:

(A) any amounts owed for restitution, fines, and court costs, completed on a standardized felony judgment form described by Section 4, Article 42.01, of this code; and

(B) a copy of the client supervision plan prepared for the defendant by the community supervision and corrections department supervising the defendant, if such a plan was prepared;

(3) a written report that states the nature and the

1 seriousness of each offense and that states the citation to the  
2 provision or provisions of the Penal Code or other law under which  
3 the defendant was convicted;

4 (4) a copy of the victim impact statement, if one has  
5 been prepared in the case under Article 56.03 of this code;

6 (5) a statement as to whether there was a change in  
7 venue in the case and, if so, the names of the county prosecuting  
8 the offense and the county in which the case was tried;

9 (6) a copy of the record of arrest for each offense;

10 (7) if requested, information regarding the criminal  
11 history of the defendant, including the defendant's state  
12 identification number if the number has been issued;

13 (8) a copy of the indictment or information for each  
14 offense;

15 (9) a checklist sent by the department to the county  
16 and completed by the county in a manner indicating that the  
17 documents required by this subsection and Subsection (c) of this  
18 section accompany the defendant; ~~and~~

19 (10) if prepared, a copy of a presentence or  
20 postsentence investigation report prepared under Section 9,  
21 Article 42.12 of this code;

22 (11) a copy of any detainer, issued by an agency of the  
23 federal government, that is in the possession of the county and that  
24 has been placed on the defendant; and

25 (12) a written description of a hold or warrant,  
26 issued by any other jurisdiction, that the county is aware of and  
27 that has been placed on or issued for the defendant.

1           SECTION 2. This Act takes effect September 1, 2003, and  
2 applies to a defendant who is transferred from a county to the Texas  
3 Department of Criminal Justice on or after that date.

David Newkirk

President of the Senate

John Caddell

Speaker of the House

I certify that H.B. No. 1236 was passed by the House on April 3, 2003, by a non-record vote.

Robert Haney  
Chief Clerk of the House

I certify that H.B. No. 1236 was passed by the Senate on April 25, 2003, by the following vote: Yeas 31, Nays 0.

Ratsy Law  
Secretary of the Senate

APPROVED: 9 MAY '03  
Date

Rick Perry  
Governor

FILED IN THE OFFICE OF THE  
SECRETARY OF STATE  
5:15 pm O'CLOCK  
MAY 09 2003  
Ann Shea  
Secretary of State