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The State of Texas
House of Representatives
Committee on Corrections

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March 18, 1991

ID# 12068 MJ

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Morales Johnson

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APR 01 91

The Honorable Dan Morales
Attorney General
P.O. Box 12548
Austin, Texas 78711

Opinion Committee

Dear General Morales:

During the 70th Legislative Session, Article 42.18 of the Code of Criminal Procedure was amended regarding Section 3(g). The net effect of the change was that inmates sentenced after the effective date of this Act were to serve actual calendar time equalling 1/4 of their sentence. Many inmates sentenced just before the enactment of this change were required to serve 1/3 of their sentence before parole consideration.

May inmates convicted before the effective date have their sentences treated as inmates sentenced after the effective date regarding flat time served? This creates an inequity in sentencing since inmates sentenced the same length of time to the department are serving different amounts due to the date of their sentencing.

Should you have any questions or need additional information, please feel free to contact me or my Committee Clerk, Sherri Walker at 463-0796.

Very truly yours,

Allen Hightower
Chairman

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DAN MORALES