

## Parole and Mandatory Supervision Eligibility Chart

<b>55<sup>th</sup> LEGISLATURE</b>		
<b>Prior to 01/01/1966</b>		
<b>OFFENSES</b>	<b>PAROLE ELIGIBILITY</b>	<b>COMMENTS</b>
All Offenses	Calendar Time = 1/3, including any bonus & blood donations. Maximum of 15 yrs.	* (Article 42.12 was amended 01/01/1966 to allow good time and ¼ time for all persons con. ned in TDC.)
<b>59<sup>th</sup> LEGISLATURE</b>		
<b>01/01/1966 – 08/31/1967</b>		
<b>OFFENSES</b>	<b>PAROLE ELIGIBILITY</b>	<b>COMMENTS</b>
All Offenses	Calendar Time + Good Time =*1/4, including any bonus & blood donations. Maximum of 15 yrs.	* Effective 01/01/1966
<b>60<sup>th</sup> LEGISLATURE</b>		
<b>09/01/1967 – 08/31/1977</b>		
<b>OFFENSES</b>	<b>PAROLE ELIGIBILITY</b>	<b>COMMENTS</b>
All Offenses	Calendar Time + Good Time =*1/3, including any bonus & blood donations. Maximum of *20 yrs.	No Mandatory Supervision: offender discharges sentence when calendar time + good time = total sentence.
	*TDCJ calculates eligibility dates on all offenses prior to 08/28/1977 utilizing calendar time + good time = 1/3, regardless of the law in effect when the offense was committed. This is apparently due to court rulings during that time period.	Sentence is effectively reduced by the amount of good time earned.  * Effective 01/01/1967
<b>65<sup>th</sup> LEGISLATURE</b>		
<b>09/01/1977 – 08/31/1983</b>		
<b>OFFENSES</b>	<b>PAROLE ELIGIBILITY</b>	<b>COMMENTS</b>
<ul style="list-style-type: none"> <li>- Aggravated Kidnapping – 20.04</li> <li>- Aggravated Robbery – 29.03</li> <li>- Aggravated Sexual Assault – 22.021</li> <li>- *Agg Sexual abuse and Agg Rape combined</li> <li>- Any offense with af. rmative . nding of Deadly Weapon</li> <li>- Capital Murder – 19.03</li> </ul>	Calendar Time = 1/3 Minimum of 2 yrs. Maximum of 20 yrs.	CCP, Art. 42.12 Sec. 3f  * Effective 08/31/1983 ** All offenses eligible for Mandatory Supervision. Effective 08/29/1977. Article 42.18 of the Texas Code of Criminal Procedure (CCP).

69 <sup>th</sup> LEGISLATURE		
09/01/1983 – 08/31/1987		
OFFENSES	PAROLE ELIGIBILITY	COMMENTS
<ul style="list-style-type: none"> <li>- Aggravated Kidnapping – 20.04</li> <li>- Aggravated Robbery – 29.03</li> <li>- Aggravated Sexual Assault – 22.021               <ul style="list-style-type: none"> <li>- Agg Sexual abuse and Agg Rape combined</li> </ul> </li> <li>- Any offense with affirmative finding of Deadly Weapon</li> <li>- Capital Murder – 19.03</li> </ul>	Calendar Time = 1/3 Minimum of 2 yrs. Maximum of 20 yrs.	CCP, Art. 42.12 Sec. 3f
All other offenses	Calendar Time + Good Time = 1/3, including any credits and bonus. Maximum of 20 yrs.	CCP, Art. 42.12 Sec. 3g * All offenses eligible for Mandatory Supervision. * Effective 01/01/1987
70 <sup>th</sup> LEGISLATURE		
09/01/1987 - 08/31/1989		
OFFENSES	PAROLE ELIGIBILITY	COMMENTS
3g Offenses: <ul style="list-style-type: none"> <li>- Aggravated Kidnapping – 20.04</li> <li>- Aggravated Robbery -- 29.03</li> <li>- Aggravated Sexual Assault – 22.021</li> <li>- Any offense with Aff. rmative . nding of Deadly Weapon</li> <li>- Capital Murder – 19.03</li> </ul>	Calendar Time = 1/4 Minimum of 2 yrs. Maximum of 15 yrs.	CCP, Art. 42.12 Gov't Code 508.046
All other cases	Calendar Time + Good Time = 1/4, including work credits and bonus time. Maximum of 15 yrs.	
*The offenses listed below are NOT eligible for Mandatory Supervision: <ul style="list-style-type: none"> <li>- Aggravated Assault, 2<sup>nd</sup> or 3<sup>rd</sup> Degree -- 22.02</li> <li>- Aggravated Kidnapping, 1<sup>st</sup> or 2<sup>nd</sup> Degree-- 22.04</li> <li>- Aggravated Robbery, 1<sup>st</sup> Degree -- 29.03</li> <li>- Aggravated Sexual Assault, 1<sup>st</sup> Degree -- 22.021</li> <li>- Any offense with Aff. rmative . nding of Deadly Weapon</li> <li>- Arson, 1<sup>st</sup> Degree – 28.02</li> <li>- Burglary, 1<sup>st</sup> Degree – 30.02 (d2) (d3) (armed with explosives or deadly weapon or causes injury while in commission of offense)</li> <li>- Capital Murder – 19.03</li> <li>- Deadly Assault on Law or Corrections Of. cer; Court Participant; Probation Personnel; Member or Employees of the BPP; Employees of TYC, 1<sup>st</sup> Degree</li> <li>- Injury to a Child or Elderly, 1<sup>st</sup> Degree -- 22.04</li> <li>- Murder, 1<sup>st</sup> Degree – 19.02</li> <li>- Robbery, 2<sup>nd</sup> Degree – 29.02</li> <li>- Sexual Assault, 2<sup>nd</sup> Degree – 22.011</li> </ul>	Ineligible for Mandatory Supervision.	* CCP, Art. 42.18 * Effective 09/01/1987

71 <sup>st</sup> and 72 <sup>nd</sup> LEGISLATURE		
09/01/1989 - 08/31/1993		
OFFENSES	PAROLE ELIGIBILITY	COMMENTS
Capital Murder (Capital Felony) – *Life Sentence – 19.03 1) Murder of a peace officer or . reman on of. cial duty. 2) Intentionally murders a person in the course of committing or attempting to commit a kidnapping, burglary, robbery, aggravated sexual assault, arson, obstruction, or retaliation, 3) Murders for remuneration, 4) Murders while escaping or attempting to escape from a penal institution, 5) Murders an employee of a penal institution while incarcerated, 6) Murders more than one person during the same criminal transaction, or during different criminal transactions but the murders are committed pursuant to the same scheme.	Calendar Time = ¼ Minimum of 2 yrs. Maximum of 15 yrs.  ** Calendar Time = 35 yrs.	Gov't Code 508.046       * Effective 09/01/1989 ** Effective 09/01/1991
3g Offenses: – Aggravated Kidnapping – 20.04 – Aggravated Robbery – 29.03 – Aggravated Sexual Assault – 22.021 – Any offense with Af. rmative . nding of Deadly Weapon – Capital Murder – 19.03	Calendar Time = ¼ Minimum of 2 yrs. Maximum of 15 yrs.	CCP, Art. 42.12 Gov't Code 508.046
*** Medically Recommended Intensive Supervision (MRIS)  Elderly Mentally Ill Mentally Retarded Physically handicapped Terminally Ill	3g cases are excluded.  – Can be earlier than parole eligibility date. – Based on medical evaluation, offender is no longer a threat to society.	Gov't Code 508.146 as described in 508.145(f)  Above criteria + approval by Texas Correctional Of. ce on Offenders with Medical and Mental Impairments (TCOOMMI). *** Effective 12/01/1991
All other offenses	Calendar Time + Good Time = 1/4, including work credits and bonus time. Maximum of 15 yrs.	
CU cases	Time credit on all sentences, one after another, until eligibility is reached on last sentence.	CCP, Art. 42.08(a)

71<sup>st</sup> and 72<sup>nd</sup> LEGISLATURE (continued)

09/01/1989 - 08/31/1993

OFFENSES	PAROLE ELIGIBILITY	COMMENTS
<p>The offenses listed below are NOT eligible for Mandatory Supervision:</p> <ul style="list-style-type: none"> <li>- Aggravated Assault, 2<sup>nd</sup> or 3<sup>rd</sup> Degree - 22.02</li> <li>- Aggravated Kidnapping, 1<sup>st</sup> or 2<sup>nd</sup> Degree - 20.04</li> <li>- Aggravated Robbery, 1<sup>st</sup> Degree - 29.03</li> <li>- Aggravated Sexual Assault, 1<sup>st</sup> Degree - 22.021</li> <li>- Any offense with Affirmative Finding of Deadly Weapon</li> <li>- Arson, 1<sup>st</sup> Degree - 28.02</li> <li>- Burglary, 1<sup>st</sup> Degree - 30.02 (d2) (d3) (armed with explosives or deadly weapon or causes injury while in commission of offense)</li> <li>- Capital Murder - 19.03</li> <li>- Deadly Assault on Law or Corrections Officer; Court Participant; Probation Personnel; Member or Employees of the BPP; Employees of TYC, 1<sup>st</sup> Degree</li> <li>- Injury to a Child or Elderly, 1<sup>st</sup> Degree - 22.04</li> <li>- Murder, 1<sup>st</sup> Degree - 19.02</li> <li>- Robbery, 2<sup>nd</sup> Degree - 29.02</li> <li>- Sexual Assault, 2<sup>nd</sup> Degree - 22.011</li> </ul>	<p>Ineligible for Mandatory Supervision.</p>	<p>CCP, Art. 42.18 Gov't Code 508.149</p>

73 <sup>rd</sup> LEGISLATURE		
09/01/1993 - 08/31/1995		
OFFENSES	PAROLE ELIGIBILITY	COMMENTS
Capital Murder (Capital Felony) – Life Sentence – 19.03 1) Murder of a peace officer or a person in the line of official duty, 2) Intentionally murders a person in the course of committing or attempting to commit a kidnapping, burglary, robbery, aggravated sexual assault, arson, obstruction, or retaliation, 3) Murders for remuneration, 4) Murders while escaping or attempting to escape from a penal institution, 5) Murders an employee of a penal institution while incarcerated, 6) Murders with intent to establish or participate in an alliance of individuals, 7) A person convicted of murder who murders while incarcerated, 8) Murders while serving a sentence of Life or 99 years for Aggravated Kidnapping, Aggravated Sexual Assault, or Aggravated Robbery, *9) Murders more than one person during the same criminal transaction, or during different criminal transactions but the murders are committed pursuant to the same scheme. *10) Murders an individual under six years of age.	* Calendar Time = 40 yrs.	CCP, Art. 42.18  * HB537 enacted as Article 42.18(g) of the Code of Criminal Procedure (CCP). “The board may grant parole to a person convicted of a Capital Felony only on a two-thirds vote of the entire membership of the board.”  * Effective 09/01/1993
3g Offenses: – Aggravated Kidnapping - 20.04 – Aggravated Robbery - 29.03 – Aggravated Sexual Assault - 22.021 – Any offense with Affirmative Finding of Deadly Weapon – Capital Murder - 19.03 – Indecency w/Child (Sexual Contact) 2 <sup>nd</sup> Degree - 21.11(a)(1) – *Murder, 1 <sup>st</sup> Degree - 19.02	Calendar Time = ½ Minimum of 2 yrs. Maximum of 30 yrs.	CCP, Art. 42.12  * Effective 09/01/1993
Medically Recommended Intensive Supervision (MRIS)  Elderly Mentally Ill Mentally Retarded Physically handicapped Terminally Ill	3g cases are excluded.  – Can be earlier than parole eligibility date. – Based on medical evaluation, offender is no longer a threat to society.	Gov't Code 508.146 as described in 508.145(f)  Above criteria + approval by Texas Correctional Office on Offenders with Medical and Mental Impairments (TCOOMMI).



74<sup>th</sup> LEGISLATURE

09/01/1995 - 08/31/1997

OFFENSES	PAROLE ELIGIBILITY	COMMENTS
<p>Capital Murder (Capital Felony) – Life Sentence – 19.03</p> <ol style="list-style-type: none"> <li>1) Murder of a peace officer or . reman on of. cial duty,</li> <li>2) Intentionally murders a person in the course of committing or attempting to commit a kidnapping, burglary, robbery, aggravated sexual assault, arson, obstruction, or retaliation,</li> <li>3) Murders for remuneration,</li> <li>4) Murders while escaping or attempting to escape from a penal institution,</li> <li>5) Murders an employee of a penal institution while incarcerated,</li> <li>6) Murders with intent to establish or participate in an alliance of individuals,</li> <li>7) A person convicted of murder who murders while incarcerated,</li> <li>8) Murders while serving a sentence of Life or 99 years for Aggravated Kidnapping, Aggravated Sexual Assault, or Aggravated Robbery,</li> <li>9) Murders more than one person during the same criminal transaction, or during different criminal transactions but the murders are committed pursuant to the same scheme,</li> <li>10) Murders an individual under six years of age.</li> </ol>	<p>Calendar Time = 40 yrs.</p>	<p>Gov't Code 508.046</p> <p>Full Board vote + written report from Texas Department of Criminal Justice, regardless of date of offense.</p> <p>– Includes predecessor offense of Murder w/ Malice Aforethought when characteristics of crime match de. nition of capital felony.</p> <p>SB45 Effective 09/01/1995 – Extraordinary Vote</p>
<p>** Offender is serving a Life Sentence for one of the following listed offenses:</p> <ul style="list-style-type: none"> <li>– Aggravated Kidnapping (with intent to violate or abuse the victim sexually) - 20.04(a)(4)</li> <li>– Aggravated Sexual Assault – 22.021</li> <li>– Burglary of Habitation with Intent to Commit any of the following listed sexual offenses: - 30.02 <ul style="list-style-type: none"> <li>– Aggravated Sexual Assault – 22.021</li> <li>– Indecency w/Child – 21.11</li> <li>– Poss or Promotion of Child Pornography – 43.26</li> <li>– Prohibited Sexual Conduct – 25.02</li> <li>– Sexual Assault – 22.011</li> <li>– Sexual Performance by a Child – 43.25</li> </ul> </li> <li>– Sexual Assault – 22.011</li> </ul>	<p>Calendar Time = 35 yrs.</p>	<p>Gov't Code 508.145 PC 12.42c</p>

74<sup>th</sup> LEGISLATURE (continued)

09/01/1995 - 08/31/1997

OFFENSES	PAROLE ELIGIBILITY	COMMENTS
<p>* AND has a previous conviction for one of the above listed offenses or one of the following offenses:</p> <ul style="list-style-type: none"> <li>- Burglary of Habitation with Intent to Commit any of the following listed sexual offenses: - 30.02                             <ul style="list-style-type: none"> <li>- Aggravated Kidnapping (with intent to violate or abuse the victim sexually) - 20.04(a)(4)</li> <li>- Indecency w/Child - 21.11(a)(1)</li> <li>- Possession or Promotion of Child Pornography -- 43.26</li> <li>- Prohibited Sexual Conduct - 25.02</li> <li>- Sexual Assault - 22.011</li> <li>- Sexual Performance by a Child - 43.25</li> </ul> </li> </ul> <p>Offense in another state substantially similar to any of the above offenses.</p>		<p>* Effective 09/01/1995</p>
<p>3g Offenses:</p> <ul style="list-style-type: none"> <li>- Aggravated Kidnapping - 20.04</li> <li>- Aggravated Robbery - 29.03</li> <li>- Aggravated Sexual Assault - 22.021</li> <li>- Any offense with Affirmative Finding of Deadly Weapon</li> <li>- Capital Murder - 19.03</li> <li>- Indecency w/Child (Sexual Contact) 2<sup>nd</sup> Degree - 21.11(a)(1)</li> <li>- Murder, 1<sup>st</sup> Degree - 19.02</li> <li>- Sexual Assault (of a Child) - 22.011(a)(2)*</li> </ul> <p>A felony increased under Health &amp; Safety Code 481.134 (Drug-Free Zones).</p>	<p>Calendar Time = ½ Minimum of 2 yrs. Maximum of 30 yrs.</p>	<p>CCP, Art. 42.12 Gov't Code 508.046</p> <p>Full Board vote + written report from Texas Department of Criminal Justice, regardless of date of offense ONLY for the following offenses.</p> <ul style="list-style-type: none"> <li>- Agg Sexual Assault - 22.021 (includes predecessor offenses for Agg Sexual Abuse and Agg Rape)</li> <li>- Indecency w/Child (Sexual Contact) - 21.11(a)(1)</li> </ul> <p>SB45 Effective 09/01/1995 - Extraordinary Vote * Effective 09/01/1995</p>
<p>Medically Recommended Intensive Supervision (MRIS)</p> <p>Elderly Mentally Ill Mentally Retarded Physically handicapped Terminally Ill</p>	<p>3g cases are excluded.</p> <ul style="list-style-type: none"> <li>- Can be earlier than parole eligibility date.</li> <li>- Based on medical evaluation, offender is no longer a threat to society.</li> </ul>	<p>Gov't Code 508.146 as described in 508.145(f)</p> <p>Above criteria + approval by Texas Correctional Office on Offenders with Medical and Mental Impairments (TCOOMMI).</p>



74 <sup>th</sup> LEGISLATURE (continued)		
09/01/1995 - 08/31/1997		
OFFENSES	PAROLE ELIGIBILITY	COMMENTS
** Discretionary Mandatory Supervision	Ineligible for Mandatory Supervision.	Gov't Code 508.149(b)  ** An offender may be denied mandatory supervision by a parole panel for the following reasons: - ** Offender will endanger the public. - ** Offender's accrued good conduct time is not an accurate re. ection of the offender's potential for rehabilitation. ** Effective 09/01/1996
75 <sup>th</sup> LEGISLATURE		
09/01/1997 - 08/31/1999		
OFFENSES	PAROLE ELIGIBILITY	COMMENTS
Capital Murder (Capital Felony) – Life Sentence – 19.03 1) Murder of a peace officer or . reman on of. cial duty, 2) Intentionally murders a person in the course of committing or attempting to commit a kidnapping, burglary, robbery, aggravated sexual assault, arson, obstruction, or retaliation. 3) Murders for remuneration, 4) Murders while escaping or attempting to escape from a penal institution, 5) Murders an employee of a penal institution while incarcerated, 6) Murders with intent to establish or participate in an alliance of individuals, 7) A person convicted of murder who murders while incarcerated, 8) Murders while serving a sentence of Life or 99 years for Aggravated Kidnapping, Aggravated Sexual Assault, or Aggravated Robbery, 9) Murders more than one person during the same criminal transaction, or during different criminal transactions but the murders are committed pursuant to the same scheme, 10) Murders an individual under six years of age.	Calendar Time = 40 yrs.	Gov't Code 508.046  Full Board vote + written report from Texas Department of Criminal Justice, regardless of date of offense: - Includes predecessor offense of Murder w/ Malice Aforethought when characteristics of crime match de. nition of capital felony.  SB45 Effective 09/01/1995 – Extraordinary Vote

75<sup>th</sup> LEGISLATURE (continued)

09/01/1997 - 08/31/1999

OFFENSES	PAROLE ELIGIBILITY	COMMENTS
<p>Offender is serving a Life Sentence for one of the following listed offenses:</p> <ul style="list-style-type: none"> <li>- Aggravated Kidnapping (with intent to violate or abuse the victim sexually) - 20.04(a)(4)</li> <li>- Aggravated Sexual Assault - 22.021</li> <li>- Burglary of Habitation with Intent to Commit any of the following listed sexual offenses: - 30.02                             <ul style="list-style-type: none"> <li>- Aggravated Sexual Assault - 22.021</li> <li>- Indecency w/Child - 21.11</li> <li>- Poss or Promotion of Child Pornography - 43.26</li> <li>- Prohibited Sexual Conduct - 25.02</li> <li>- Sexual Assault - 22.011</li> <li>- Sexual Performance by a Child - 43.25</li> </ul> </li> <li>- Sexual Assault - 22.011</li> </ul> <p><b>AND</b> has a previous conviction for one of the above listed offenses <b>or</b> one of the following offenses:</p> <ul style="list-style-type: none"> <li>- Burglary of Habitation with Intent to Commit any of the following listed sexual offenses: - 30.02                             <ul style="list-style-type: none"> <li>- Aggravated Kidnapping (with intent to violate or abuse the victim sexually) - 20.04(a)(4)</li> </ul> </li> <li>- Indecency w/Child - 21.11(a)(1)</li> <li>- Possession or Promotion of Child Pornography - 43.26</li> <li>- Prohibited Sexual Conduct - 25.02</li> <li>- Sexual Assault - 22.011</li> <li>- Sexual Performance by a Child - 43.25</li> </ul> <p>Offense in another state substantially similar to any of the above offenses.</p>	<p>Calendar Time = 35 yrs.</p>	<p>Gov't Code 508.145 PC 12.42c</p>

75<sup>th</sup> LEGISLATURE (continued)

09/01/1997 - 08/31/1999

OFFENSES	PAROLE ELIGIBILITY	COMMENTS
<p>3g Offenses:</p> <ul style="list-style-type: none"> <li>- Aggravated Kidnapping – 20.04</li> <li>- Aggravated Robbery – 29.03</li> <li>- Aggravated Sexual Assault – 22.021</li> <li>- Any offense with Affirmative Finding of Deadly Weapon</li> <li>- Capital Murder – 19.03</li> <li>- Indecency w/Child (Sexual Contact) 2<sup>nd</sup> Degree – 21.11(a)(1)</li> <li>- Murder, 1<sup>st</sup> Degree – 19.02</li> <li>- Sexual Assault, *all subsections -- 22.011(a)(2)</li> </ul> <p>A felony increased under Health &amp; Safety Code 481.134 (Drug-Free Zones).</p>	<p>Calendar Time = ½ Minimum of 2 yrs. Maximum of 30 yrs.</p>	<p>CCP, Art. 42.12 Gov't Code 508.046</p> <p>Full Board vote + written report from Texas Department of Criminal Justice, regardless of date of offense <b>ONLY</b> for the following offenses.</p> <ul style="list-style-type: none"> <li>- Agg Sexual Assault – 22.021 (includes predecessor offenses for Agg Sexual Abuse and Agg Rape)</li> <li>- Indecency w/Child (Sexual Contact) - 21.11(a)(1)</li> </ul> <p>SB45 Effective 09/01/1995 - Extraordinary Vote</p>
<p>Medically Recommended Intensive Supervision (MRIS)</p> <p>Elderly Mentally Ill Mentally Retarded Physically handicapped Terminally Ill</p>	<ul style="list-style-type: none"> <li>- Can be earlier than parole eligibility date.</li> <li>- Based on medical evaluation, offender is no longer a threat to society.</li> </ul>	<p>Gov't Code 508.146 as described in 508.145(f)</p> <p>Above criteria + approval by Texas Correctional Office on Offenders with Medical and Mental Impairments (TCOOMMI).</p>
<p>All other 1<sup>st</sup>, 2<sup>nd</sup>, and 3<sup>rd</sup> degree felony offenses (a court may reduce the punishment of a 3<sup>rd</sup> degree felony by imposing the confinement of a Class A Misdemeanor).</p>	<p>Calendar Time + Good Time = 1/4, including work credits and bonus time. Maximum of 15 yrs.</p>	
<p>Drug-Free Zones</p>	<p>Calendar Time = 5 yrs. or maximum term, whichever is less.</p>	<p>Gov't code 508.145(e)</p>
<p>State Jail Felonies</p> <p>A state jail felony can be enhanced to a 2<sup>nd</sup> or 3<sup>rd</sup> degree felony.</p>	<p>Parole Eligibility is NOT applicable.</p>	<p>Confinement is to a state jail for any term of not more than two years or less than 180 days.</p> <p>Confinement to a state jail is not more than two years or less than 90 days.</p>

**75<sup>th</sup> LEGISLATURE (continued)**

09/01/1997 - 08/31/1999

OFFENSES	PAROLE ELIGIBILITY	COMMENTS
<p>The offenses listed below are NOT eligible for Mandatory Supervision:</p> <ul style="list-style-type: none"> <li>- Aggravated Assault, 1<sup>st</sup> or 2<sup>nd</sup> Degree -- 22.02</li> <li>- Aggravated Kidnapping, 1<sup>st</sup> or 2<sup>nd</sup> Degree -- 20.04</li> <li>- Aggravated Robbery -- 29.03</li> <li>- Aggravated Sexual Assault -- 22.021</li> <li>- Any offense with Affirmative Finding of Deadly Weapon</li> <li>- Arson, 1<sup>st</sup> Degree -- 28.02</li> <li>- Burglary, 1<sup>st</sup> Degree -- 30.02 with intent to commit felony other than Theft</li> <li>- Capital Murder -- 19.03</li> <li>- Indecency w/Child (Sexual Contact) 2<sup>nd</sup> or 3<sup>rd</sup> Degree -- 21.11(a)(1)</li> <li>- Injury to a Child or Elderly or Disabled Individual, 1<sup>st</sup> Degree -- 22.04</li> <li>- Murder, 1<sup>st</sup> or 2<sup>nd</sup> Degree -- 19.02</li> <li>- Robbery, 2<sup>nd</sup> Degree -- 29.02</li> <li>- Sexual Assault, 2<sup>nd</sup> Degree -- 22.011</li> </ul> <p>A felony increased under Health &amp; Safety Code 481.134 (Drug-Free Zones). Any offense committed on or after 09/01/1996 with a <u>prior</u> conviction to include any above listed offenses.</p>	<p>Ineligible for Mandatory Supervision.</p>	<p>CCP, Art. 42.18 Gov't Code 508.149</p>
<p>Discretionary Mandatory Supervision</p>	<p>Ineligible for Mandatory Supervision.</p>	<p>Gov't Code 508.149(b)</p> <p>An offender may be denied mandatory supervision by a parole panel for the following reasons:</p> <ul style="list-style-type: none"> <li>- Offender will endanger the public.</li> <li>- Offender's accrued good conduct time is not an accurate reflection of the offender's potential for rehabilitation.</li> </ul>

**76th LEGISLATURE**  
**09/01/1999 - 08/31/2001**

<b>OFFENSES</b>	<b>PAROLE ELIGIBILITY</b>	<b>COMMENTS</b>
<p>Capital Murder (Capital Felony) -- Life Sentence -- 19.03</p> <ol style="list-style-type: none"> <li>1) Murder of a peace officer or . reman on of. cial duty,</li> <li>2) Intentionally murders a person in the course of committing or attempting to commit a kidnapping, burglary, robbery, aggravated sexual assault, arson, obstruction, or retaliation.</li> <li>3) Murders for remuneration.</li> <li>4) Murders while escaping or attempting to escape from a penal institution,</li> <li>5) Murders an employee of a penal institution while incarcerated,</li> <li>6) Murders with intent to establish or participate in an alliance of individuals,</li> <li>7) A person convicted of murder who murders while incarcerated,</li> <li>8) Murders while serving a sentence of Life or 99 years for Aggravated Kidnapping, Aggravated Sexual Assault, or Aggravated Robbery,</li> <li>9) Murders more than one person during the same criminal transaction, or during different criminal transactions but the murders are committed pursuant to the same scheme.</li> <li>10) Murders an individual under six years of age.</li> </ol>	<p>Calendar Time = 40 yrs.</p>	<p>Gov't Code 508.046</p> <p>Full Board vote + written report from Texas Department of Criminal Justice, regardless of date of offense.</p> <p>- Includes predecessor offense of Murder w/ Malice Aforethought when characteristics of crime match de. nition of capital felony.</p> <p>SB45 Effective 09/01/1995 -- Extraordinary Vote</p>
<p>Offender is serving a Life Sentence for one of the following listed offenses:</p> <ul style="list-style-type: none"> <li>- Aggravated Kidnapping (with intent to violate or abuse the victim sexually) - 20.04(a)(4)</li> <li>- Aggravated Sexual Assault -- 22.021</li> <li>- Burglary of Habitation with Intent to Commit any of the following listed sexual offenses: - 30.02 <ul style="list-style-type: none"> <li>- Aggravated Sexual Assault - 22.021</li> <li>- Indecency w/Child - 21.11</li> <li>- Poss or Promotion of Child Pornography -- 43.26</li> <li>- Prohibited Sexual Conduct -- 25.02</li> <li>- Sexual Assault -- 22.011</li> <li>- Sexual Performance by a Child -- 43.25</li> </ul> </li> <li>- Sexual Assault -- 22.011</li> </ul>	<p>Calendar Time = 35 yrs.</p>	<p>Gov't Code 508.145 PC 12.42c</p>

76<sup>th</sup> LEGISLATURE (continued)

09/01/1999 - 08/31/2001

OFFENSES	PAROLE ELIGIBILITY	COMMENTS
<p>AND has a previous conviction for one of the above listed offenses or one of the following offenses:</p> <ul style="list-style-type: none"> <li>- Burglary of Habitation with Intent to Commit any of the following listed sexual offenses: - 30.02               <ul style="list-style-type: none"> <li>- Aggravated Kidnapping (with intent to violate or abuse the victim sexually) -- 20.04(a)(4)</li> </ul> </li> <li>- Indecency w/Child -- 21.11(a)(1)</li> <li>- Possession or Promotion of Child Pornography -- 43.26</li> <li>- Prohibited Sexual Conduct -- 25.02</li> <li>- Sexual Assault -- 22.011</li> <li>- Sexual Performance by a Child -- 43.25</li> </ul> <p>Offense in another state substantially similar to any of the above offenses.</p>		
<p>3g Offenses:</p> <ul style="list-style-type: none"> <li>- Aggravated Kidnapping -- 20.04</li> <li>- Aggravated Robbery -- 29.03</li> <li>- Aggravated Sexual Assault -- 22.021</li> <li>- Any offense with Affirmative Finding of Deadly Weapon</li> <li>- Capital Murder -- 19.03</li> <li>- Indecency w/Child (Sexual Contact) 2<sup>nd</sup> Degree -- 21.11(a)(1)</li> <li>- Murder, 1<sup>st</sup> Degree -- 19.02</li> <li>- Sexual Assault, *all subsections -- 22.011</li> </ul> <p>A felony increased under Health &amp; Safety Code 481.134 (Drug-Free Zones).</p> <p>** A Felony Increased Under Health &amp; Safety Code 481.140 (Use of Child in Commission of Offense).</p>	<p>Calendar Time = ½ Minimum of 2 yrs. Maximum of 30 yrs.</p>	<p>CCP, Art. 42.12 Gov't Code 508.046 Full Board vote + written report from Texas Department of Criminal Justice, regardless of date of offense <b>ONLY</b> for the following offenses.</p> <ul style="list-style-type: none"> <li>- Agg Sexual Assault -- 22.021 (includes predecessor offenses for Agg Sexual Abuse and Agg Rape)</li> <li>- Indecency w/Child (Sexual Contact) - 21.11(a)(1)</li> </ul> <p>SB45 Effective 09/01/1995 - Extraordinary Vote * Effective 09/01/1999 ** Effective 06/14/2001</p>
<p>Medically Recommended Intensive Supervision (MRIS)</p> <p>Elderly Mentally Ill Mentally Retarded Physically handicapped Terminally Ill</p>	<p>3g offenses excluded as of 09/01/1998.</p> <ul style="list-style-type: none"> <li>- Can be earlier than parole eligibility date.</li> <li>- Based on medical evaluation, offender is no longer a threat to society.</li> </ul> <p>Sentence of death excluded.</p>	<p>Gov't Code 508.146 as described in 508.145(f)</p> <p>Above criteria + approval by Texas Correctional Office on Offenders with Medical and Mental Impairments (TCOOMMI).</p>
<p>All other 1<sup>st</sup>, 2<sup>nd</sup>, and 3<sup>rd</sup> degree felony offenses (a court may reduce the punishment of a 3<sup>rd</sup> degree felony by imposing the punishment of a Class A Misdemeanor).</p>	<p>Calendar Time + Good Time = 1/4, including work credits and bonus time. Maximum of 15 yrs.</p>	
<p>Drug-Free Zones</p>	<p>Calendar Time -- 5 yrs. or maximum term, whichever is less.</p>	<p>Gov't code 508.145(e)</p>
<p>State Jail Felonies</p>	<p>Parole Eligibility is NOT applicable.</p>	<p>Con. nement is to a state jail for any term of not more than two years or less than 180 days.</p>



77 <sup>th</sup> LEGISLATURE 09/01/2001 - 08/31/2003		
OFFENSES	PAROLE ELIGIBILITY	COMMENTS
<p>Capital Murder (Capital Felony) – Life Sentence – 19.03</p> <ol style="list-style-type: none"> <li>1) Murder of a peace officer or . reman on of. cial duty,</li> <li>2) Intentionally murders a person in the course of committing or attempting to commit a kidnapping, burglary, robbery, aggravated sexual assault, arson, obstruction, or retaliation,</li> <li>3) Murders for remuneration,</li> <li>4) Murders while escaping or attempting to escape from a penal institution,</li> <li>5) Murders an employee of a penal institution while incarcerated,</li> <li>6) Murders with intent to establish or participate in an alliance of individuals,</li> <li>7) A person convicted of murder who murders while incarcerated,</li> <li>8) Murders while serving a sentence of Life or 99 years for Aggravated Kidnapping, Aggravated Sexual Assault, or Aggravated Robbery,</li> <li>9) Murders more than one person during the same criminal transaction, or during different criminal transactions but the murders are committed pursuant to the same scheme,</li> <li>10) Murders an individual under six years of age.</li> </ol>	<p>Calendar Time = 40 yrs.</p>	<p>Gov't Code 508.046</p> <p>Full Board vote + written report from Texas Department of Criminal Justice, regardless of date of offense:</p> <p>– Includes predecessor offense of Murder w/ Malice Aforethought when characteristics of crime match de. nition of capital felony.</p> <p>SB45 Effective 09/01/1995 – Extraordinary Vote</p>
<p>Offender is serving a Life Sentence for one of the following listed offenses:</p> <ul style="list-style-type: none"> <li>– Aggravated Kidnapping (with intent to violate or abuse the victim sexually) - 20.04(a)(4)</li> <li>– Aggravated Sexual Assault – 22.021</li> <li>– Burglary of Habitation with Intent to Commit any of the following listed sexual offenses: - 30.02 <ul style="list-style-type: none"> <li>– Aggravated Sexual Assault – 22.021</li> <li>– Indecency w/Child - 21.11</li> <li>– Poss or Promotion of Child Pornography – 43.26</li> <li>– Prohibited Sexual Conduct – 25.02</li> <li>– Sexual Assault – 22.011</li> <li>– Sexual Performance by a Child - 43.25</li> </ul> </li> <li>– Sexual Assault – 22.011</li> </ul>	<p>Calendar Time = 35 yrs.</p>	<p>Gov't Code 508.145 PC 12.42c</p>

OFFENSES	PAROLE ELIGIBILITY	COMMENTS
<p>AND has a previous conviction for one of the above listed offenses or one of the following offenses:</p> <ul style="list-style-type: none"> <li>- Burglary of Habitation with Intent to Commit any of the following listed sexual offenses: - 30.02                             <ul style="list-style-type: none"> <li>- Aggravated Kidnapping (with intent to violate or abuse the victim sexually) - 20.04(a)(4)</li> </ul> </li> <li>- Indecency w/Child - 21.11(a)(1)</li> <li>- Possession or Promotion of Child Pornography --43.26</li> <li>- Prohibited Sexual Conduct - 25.02</li> <li>- Sexual Assault - 22.011</li> <li>- Sexual Performance by a Child - 43.25</li> </ul> <p>Offense in another state substantially similar to any of the above offenses.</p>		
<p>3g Offenses:</p> <ul style="list-style-type: none"> <li>- Aggravated Kidnapping - 20.04</li> <li>- Aggravated Robbery - 29.03</li> <li>- Aggravated Sexual Assault - 22.021</li> <li>- Any offense with Affirmative Finding of Deadly Weapon</li> <li>- Capital Murder - 19.03</li> <li>- Indecency w/Child (Sexual Contact) 2<sup>nd</sup> Degree - 21.11(a)(1)</li> <li>- Murder, 1<sup>st</sup> Degree - 19.02</li> <li>- Sexual Assault, all subsections - 22.011</li> </ul> <p>A felony increased under Health &amp; Safety Code 481.134 (Drug-Free Zones). A Felony Increased Under Health &amp; Safety Code 481.140 (Use of Child in Commission of Offense).</p>	<p>Calendar Time = ½ Minimum of 2 yrs. Maximum of 30 yrs.</p>	<p>CCP, Art. 42.12 Gov't Code 508.046</p> <p>Full Board vote + written report from Texas Department of Criminal Justice, regardless of date of offense <b>ONLY</b> for the following offenses:</p> <ul style="list-style-type: none"> <li>- Agg Sexual Assault - 22.021 (includes predecessor offenses for Agg Sexual Abuse and Agg Rape)</li> <li>- Indecency w/Child (Sexual Contact) - 21.11(a)(1)</li> </ul> <p>SB45 Effective 09/01/1995 - Extraordinary Vote</p>
<p>Medically Recommended Intensive Supervision (MRIS)</p> <p>*Condition requiring long term care Elderly Mentally Ill Mentally Retarded Physically handicapped Terminally Ill</p>	<p>3g offenses excluded.</p> <ul style="list-style-type: none"> <li>- Can be earlier than parole eligibility date.</li> <li>- Based on medical evaluation, offender is no longer a threat to society.</li> </ul> <p>Sentence of death excluded.</p>	<p>Gov't Code 508.146 as described in 508.145(f)</p> <p>Above criteria + approval by Texas Correctional Office on Offenders with Medical and Mental Impairments (TCOOMMI).</p>
<p>All other 1<sup>st</sup>, 2<sup>nd</sup>, and 3<sup>rd</sup> degree felony offenses (a court may reduce the punishment of a 3<sup>rd</sup> degree felony by imposing the confinement of a Class A Misdemeanor).</p>	<p>Calendar Time + Good Time = 1/4, including work credits and bonus time. Maximum of 15 yrs.</p>	
<p>Drug-Free Zones</p>	<p>Calendar Time = 5 yrs. or maximum term, whichever is less.</p>	<p>Gov't code 508.145(e)</p>
<p>State Jail Felonies</p>	<p>Parole Eligibility is NOT applicable.</p>	<p>Con. nement is to a state jail for any term of not more than two years or less than 180 days.</p>

77<sup>th</sup> LEGISLATURE (continued)

09/01/2001 - 08/31/2003

OFFENSES	PAROLE ELIGIBILITY	COMMENTS
<p>The offenses listed below are NOT eligible for Mandatory Supervision:</p> <ul style="list-style-type: none"> <li>- Aggravated Assault, 1<sup>st</sup> or 2<sup>nd</sup> Degree - 22.02</li> <li>- Aggravated Kidnapping, 1<sup>st</sup> or 2<sup>nd</sup> Degree - 20.04</li> <li>- Aggravated Sexual Assault - 22.021</li> <li>- Aggravated Robbery - 29.03</li> <li>- Any offense with Affirmative Finding of Deadly Weapon</li> <li>- Arson, 1<sup>st</sup> Degree - 28.02</li> <li>- Burglary, 1<sup>st</sup> Degree - 30.02</li> <li>- Capital Murder - 19.03</li> <li>- Indecency w/Child, 2<sup>nd</sup> or 3<sup>rd</sup> Degree - 21.11</li> <li>- Injury to a Child or Elderly or Disabled Individual, 1<sup>st</sup> Degree - 22.04</li> <li>- Murder, 1<sup>st</sup> or 2<sup>nd</sup> Degree - 19.02</li> <li>- Robbery, 2<sup>nd</sup> Degree - 29.02</li> <li>- Sexual Assault, 2<sup>nd</sup> Degree - 22.011</li> </ul> <p>A felony increased under Health &amp; Safety Code 481.134 (Drug-Free Zones).</p> <p>A felony increased under Health &amp; Safety Code 481.140 (Use of Child in Commission of Offense).</p> <p>Any offense committed on or after 09/01/1996 with a prior conviction to include any above listed offenses.</p>	<p>Ineligible for Mandatory Supervision.</p>	<p>CCP, Art. 42.18 Gov't Code 508.149</p>

78<sup>th</sup> LEGISLATURE

09/01/2003 - 08/31/2005

OFFENSES	PAROLE ELIGIBILITY	COMMENTS
<p>Capital Murder (Capital Felony) – Life Sentence – 19.03</p> <ol style="list-style-type: none"> <li>1) Murder of a peace officer or . reman on of. cial duty.</li> <li>2) Intentionally murders a person in the course of committing or attempting to commit a kidnapping, burglary, robbery, aggravated sexual assault, arson, obstruction, or retaliation, or *terroristic threat - 22.07(a)(1,3,4,5, or 6),</li> <li>3) Murders for remuneration,</li> <li>4) Murders while escaping or attempting to escape from a penal institution,</li> <li>5) Murders an employee of a penal institution while incarcerated.</li> <li>6) Murders with intent to establish or participate in an alliance of individuals,</li> <li>7) A person convicted of murder who murders while incarcerated.</li> <li>8) Murders while serving a sentence of Life or 99 years for Aggravated Kidnapping, Aggravated Sexual Assault, or Aggravated Robbery.</li> <li>9) Murders more than one person during the same criminal transaction, or during different criminal transactions but the murders are committed pursuant to the same scheme,</li> <li>10) Murders an individual under six years of age.</li> </ol>	<p>Calendar Time = 40 yrs.</p>	<p>Gov't Code 508.046</p> <p>Full Board vote + written report from Texas Department of Criminal Justice, regardless of date of offense:</p> <ul style="list-style-type: none"> <li>- Includes predecessor offense of Murder w/ Malice Aforethought when characteristics of crime match de. nition of capital felony.</li> </ul> <p>SB45 Effective 09/01/1995                      -- Extraordinary Vote                      * Effective 09/01/2003</p>
<p>Offender is serving a Life Sentence for one of the following listed offenses:</p> <ul style="list-style-type: none"> <li>- Aggravated Kidnapping (with intent to violate or abuse the victim sexually) - 20.04(a)(4)</li> <li>- Aggravated Sexual Assault - 22.021</li> <li>- Burglary of Habitation with Intent to Commit any of the following listed sexual offenses: - 30.02                             <ul style="list-style-type: none"> <li>- Aggravated Sexual Assault - 22.021</li> <li>- Indecency w/Child - 21.11</li> <li>- *Obscenity (images of child under the age of 18) - 43.23</li> <li>- Poss or Promotion of Child Pornography - 43.26</li> <li>- Prohibited Sexual Conduct - 25.02</li> <li>- Sexual Assault - 22.011</li> <li>- Sexual Performance by a Child - 43.25</li> </ul> </li> <li>- Sexual Assault - 22.011</li> </ul>	<p>Calendar Time = 35 yrs.</p>	<p>Gov't Code 508.145                      PC 12.42c</p>

78<sup>th</sup> LEGISLATURE (continued)

09/01/2003 - 08/31/2005

OFFENSES	PAROLE ELIGIBILITY	COMMENTS
<p>AND has a previous conviction for one of the above listed offenses or one of the following offenses:</p> <ul style="list-style-type: none"> <li>- Burglary of Habitation with Intent to Commit any of the following listed sexual offenses: - 30.02               <ul style="list-style-type: none"> <li>- Aggravated Kidnapping (with intent to violate or abuse the victim sexually) - 20.04(a)(4)</li> </ul> </li> <li>- Indecency w/Child - 21.11(a)(1)</li> <li>- Possession or Promotion of Child Pornography - 43.26</li> <li>- Prohibited Sexual Conduct - 25.02</li> <li>- Sexual Assault - 22.011</li> <li>- Sexual Performance by a Child - 43.25</li> </ul> <p>Offense in another state substantially similar to any of the above offenses.</p>		<p>* Effective 09/01/2003</p>
<p>3g Offenses:</p> <ul style="list-style-type: none"> <li>- Aggravated Kidnapping - 20.04</li> <li>- Aggravated Robbery - 29.03</li> <li>- Aggravated Sexual Assault - 22.021</li> <li>- Any offense with Affirmative Finding of Deadly Weapon</li> <li>- Capital Murder - 19.03</li> <li>- Indecency w/Child (Sexual Contact) 2<sup>nd</sup> Degree - 21.11(a)(1)</li> <li>- Murder, 1<sup>st</sup> Degree - 19.02</li> <li>- Sexual Assault, all subsections - 22.011</li> </ul> <p>A felony increased under Health &amp; Safety Code 481.134 (Drug-Free Zones).</p> <p>A Felony Increased Under Health &amp; Safety Code 481.140 (Use of Child in Commission of Offense).</p>	<p>Calendar Time = ½ Minimum of 2 yrs. Maximum of 30 yrs.</p>	<p>CCP, Art. 42.12 Gov't Code 508.046</p> <p>Full Board vote + written report from Texas Department of Criminal Justice, regardless of date of offense <b>ONLY</b> for the following offenses.</p> <ul style="list-style-type: none"> <li>- Agg Sexual Assault - 22.021 (includes predecessor offenses for Agg Sexual Abuse and Agg Rape)</li> <li>- Indecency w/Child (Sexual Contact) - 21.11(a)(1)</li> </ul> <p>SB45 Effective 09/01/1995 - Extraordinary Vote</p>
<p>Medically Recommended Intensive Supervision (MRIS)</p> <p>Condition requiring long term care Elderly Mentally Ill Mentally Retarded Physically handicapped Terminally Ill</p>	<p>* 3g offenses are now eligible. * Sex offenders are excluded.</p> <ul style="list-style-type: none"> <li>- Can be earlier than parole eligibility date.</li> <li>- Based on medical evaluation, offender is no longer a threat to society.</li> </ul> <p>Sentence of death excluded.</p>	<p>Gov't Code 508.146 as described in 508.145(f)</p> <p>Above criteria + approval by Texas Correctional Office on Offenders with Medical and Mental Impairments (TCOOMMI).</p> <p>* Effective 09/01/2003</p>
<p>All other 1<sup>st</sup>, 2<sup>nd</sup>, and 3<sup>rd</sup> degree felony offenses (a court may reduce the punishment of a 3<sup>rd</sup> degree felony by imposing the conviction of a Class A Misdemeanor).</p>	<p>Calendar Time + Good Time = 1/4, including work credits and bonus time. Maximum of 15 yrs.</p>	
<p>Drug-Free Zones</p>	<p>Calendar Time = 5 yrs. or maximum term, whichever is less.</p>	<p>Gov't code 508.145(e)</p>
<p>State Jail Felonies</p>	<p>Parole Eligibility is NOT applicable.</p>	<p>Conviction is to a state jail for any term of not more than two years or less than 180 days.</p>

**78<sup>th</sup> LEGISLATURE (continued)**

**09/01/2003 - 08/31/2005**

<b>OFFENSES</b>	<b>PAROLE ELIGIBILITY</b>	<b>COMMENTS</b>
<p>The offenses listed below are NOT eligible for Mandatory Supervision:</p> <ul style="list-style-type: none"> <li>- Aggravated Assault, 1<sup>st</sup> or 2<sup>nd</sup> Degree - 22.02</li> <li>- Aggravated Kidnapping, 1<sup>st</sup> or 2<sup>nd</sup> Degree - 20.04</li> <li>- Aggravated Sexual Assault - 22.021</li> <li>- Aggravated Robbery - 29.03</li> <li>- Any offense with Affirmative Finding of Deadly Weapon</li> <li>- Arson, 1<sup>st</sup> Degree - 28.02</li> <li>- Burglary, 1<sup>st</sup> Degree - 30.02</li> <li>- Capital Murder - 19.03</li> <li>- Indecency w/Child 2<sup>nd</sup> or 3<sup>rd</sup> Degree - 21.11</li> <li>- Injury to a Child or Elderly or Disabled Individual, 1<sup>st</sup> Degree - 22.04</li> <li>- Murder, 1<sup>st</sup> or 2<sup>nd</sup> Degree - 19.02</li> <li>- Robbery, 2<sup>nd</sup> Degree - 29.02</li> <li>- Sexual Assault, 2<sup>nd</sup> Degree - 22.011</li> </ul> <p>A felony increased under Health &amp; Safety Code 481.134 (Drug-Free Zones).</p> <p>A felony increased under Health &amp; Safety Code 481.140 (Use of Child in Commission of Offense).</p> <p>Any offense committed on or after 09/01/1996 with a prior conviction to include any above listed offenses.</p>	<p>Ineligible for Mandatory Supervision.</p>	<p>CCP, Art. 42.18 Gov't Code 508.149</p>

79 <sup>th</sup> LEGISLATURE 09/01/2005 - 08/31/2007		
OFFENSES	PAROLE ELIGIBILITY	COMMENTS
<p>Capital Murder (Capital Felony) *Death or Life without Parole - 19.03</p> <ol style="list-style-type: none"> <li>1) Murder of a peace officer or reman on official duty,</li> <li>2) Intentionally murders a person in the course of committing or attempting to commit a kidnapping, burglary, robbery, aggravated sexual assault, arson, obstruction, or retaliation, or terroristic threat - 22.07(a)(1, 3, 4, 5, or 6).</li> <li>3) Murders for remuneration.</li> <li>4) Murders while escaping or attempting to escape from a penal institution.</li> <li>5) Murders an employee of a penal institution while incarcerated.</li> <li>6) Murders with intent to establish or participate in an alliance of individuals.</li> <li>7) A person convicted of murder who murders while incarcerated.</li> <li>8) Murders while serving a sentence of Life or 99 years for Aggravated Kidnapping, Aggravated Sexual Assault, or Aggravated Robbery.</li> <li>9) Murders more than one person during the same criminal transaction, or during different criminal transactions but the murders are committed pursuant to the same scheme,</li> <li>10) Murders an individual under six years of age,</li> <li>*11) Murders in retaliation for/on account of service/status as judge or justice of courts.</li> </ol>	<p>*Not eligible for Parole or MS release.</p> <p>*Punishable by Death or Life without Parole only.</p> <p>*Prohibits anyone younger than 18yrs. of age to be punished by Death.</p>	<p>Gov't Code 508.046</p> <p>Full Board vote + written report from Texas Department of Criminal Justice, regardless of date of offense:</p> <p>- Includes predecessor offense of Murder w/Malice Aforethought when characteristics of crime match definition of capital felony.</p> <p>SB45 Effective 09/01/1995 - Extraordinary Vote * Effective 09/01/2005</p>
<p>Offender is serving a Life Sentence for one of the following listed offenses:</p> <ul style="list-style-type: none"> <li>- Aggravated Kidnapping (with intent to violate or abuse the victim sexually) - 20.04(a)(4)</li> <li>- Aggravated Sexual Assault - 22.021</li> <li>- Burglary of Habitation with Intent to Commit any of the following listed sexual offenses: - 30.02 <ul style="list-style-type: none"> <li>- Aggravated Sexual Assault - 22.021</li> <li>- Indecency w/Child - 21.11</li> <li>- Obscenity (images of child under the age of 18) - 43.23</li> <li>- Poss or Promotion of Child Pornography - 43.26</li> <li>- Prohibited Sexual Conduct - 25.02</li> <li>- Sexual Assault - 22.011</li> </ul> </li> </ul>	<p>Calendar Time = 35 yrs.</p>	<p>Gov't Code 508.145 PC 12.42c</p>

09/01/2005 - 08/31/2007

OFFENSES	PAROLE ELIGIBILITY	COMMENTS
<ul style="list-style-type: none"> <li>- Sexual Performance by a Child - 43.25</li> <li>- Sexual Assault - 22.011</li> </ul> <p>AND has a previous conviction for one of the above listed offenses or one of the following offenses:</p> <ul style="list-style-type: none"> <li>- Burglary of Habitation with Intent to Commit any of the following listed sexual offenses: - 30.02               <ul style="list-style-type: none"> <li>- Aggravated Kidnapping (with intent to violate or abuse the victim sexually) - 20.04(a)(4)</li> </ul> </li> <li>- Indecency w/Child - 21.11(a)(1)</li> <li>- Possession or Promotion of Child Pornography - 43.26</li> <li>- Prohibited Sexual Conduct - 25.02</li> <li>- Sexual Assault - 22.011</li> <li>- Sexual Performance by a Child - 43.25</li> </ul> <p>Offense in another state substantially similar to any of the above offenses.</p>		<p>* Effective 09/01/2005</p>
<p>3g Offenses:</p> <ul style="list-style-type: none"> <li>- Aggravated Kidnapping - 20.04</li> <li>- Aggravated Robbery - 29.03</li> <li>- Aggravated Sexual Assault - 22.021</li> <li>- Any offense with Affirmative Finding of Deadly Weapon</li> <li>- Capital Murder - 19.03</li> <li>- Indecency w/Child (Sexual Contact) 2<sup>nd</sup> Degree - 21.11(a)(1)</li> <li>- Murder, 1<sup>st</sup> Degree - 19.02</li> <li>- Sexual Assault, all subsections - 22.011</li> </ul> <p>A felony increased under Health &amp; Safety Code 481.134 (Drug-Free Zones).</p> <p>A Felony Increased Under Health &amp; Safety Code 481.140 (Use of Child in Commission of Offense).</p>	<p>Calendar Time = ½ Minimum of 2 yrs. Maximum of 30 yrs.</p>	<p>CCP, Art. 42.12 Gov't Code 508.046</p> <p>Full Board vote + written report from Texas Department of Criminal Justice, regardless of date of offense <b>ONLY</b> for the following offenses.</p> <ul style="list-style-type: none"> <li>- Agg Sexual Assault - 22.021 (includes predecessor offenses for Agg Sexual Abuse and Agg Rape)</li> <li>- Indecency w/Child (Sexual Contact) - 21.11(a)(1)</li> </ul> <p>SB45 Effective 09/01/1995 - Extraordinary Vote</p>
<p>Medically Recommended Intensive Supervision (MRIS)</p> <p>Condition requiring long term care Elderly Mentally Ill Mentally Retarded Physically handicapped Terminally Ill</p>	<p>3g offenses are eligible Sex offenders are excluded.</p> <ul style="list-style-type: none"> <li>- Can be earlier than parole eligibility date.</li> <li>- Based on medical evaluation, offender is no longer a threat to society.</li> </ul> <p>Sentence of death excluded. * Life without Parole excluded.</p>	<p>Gov't Code 508.146 as described in 508.145(f)</p> <p>Above criteria + approval by Texas Correctional Office on Offenders with Medical and Mental Impairments (TCOOMMI).</p> <p>* Effective 09/01/2005</p>
<p>All other 1<sup>st</sup>, 2<sup>nd</sup>, and 3<sup>rd</sup> degree felony offenses (a court may reduce the punishment of a 3<sup>rd</sup> degree felony by imposing the conviction of a Class A Misdemeanor).</p>	<p>Calendar Time + Good Time = 1/4, including work credits and bonus time. Maximum of 15 yrs.</p>	

79 <sup>th</sup> LEGISLATURE (continued)		
09/01/2005 - 08/31/2007		
OFFENSES	PAROLE ELIGIBILITY	COMMENTS
Drug-Free Zones	Calendar Time = 5 yrs. or maximum term, whichever is less.	Gov't code 508.145(e)
State Jail Felonies	Parole Eligibility is NOT applicable.	Con. nement is to a state jail for any term of not more than two years or less than 180 days.
<p>The offenses listed below are NOT eligible for Mandatory Supervision:</p> <ul style="list-style-type: none"> <li>- Aggravated Assault, 1<sup>st</sup> or 2<sup>nd</sup> Degree - 22.02</li> <li>- Aggravated Kidnapping, 1<sup>st</sup> or 2<sup>nd</sup> Degree - 20.04</li> <li>- Aggravated Robbery - 29.03</li> <li>- Aggravated Sexual Assault - 22.021</li> <li>- Any offense with Af. rmative . nding of Deadly Weapon</li> <li>- Arson, 1<sup>st</sup> Degree - 28.02</li> <li>- Burglary, 1<sup>st</sup> Degree - 30.02</li> <li>- Capital Murder - 19.03</li> <li>- Indecency w/Child 2<sup>nd</sup> or 3<sup>rd</sup> Degree - 21.11</li> <li>- Injury to a Child or Elderly or Disabled Individual, 1<sup>st</sup> Degree - 22.04</li> <li>- Murder, 1<sup>st</sup> or 2<sup>nd</sup> Degree - 19.02</li> <li>- Robbery, 2<sup>nd</sup> Degree - 29.02</li> <li>- Sexual Assault, 2<sup>nd</sup> Degree - 22.011</li> </ul> <p>A felony increased under Health &amp; Safety Code 481.134 (Drug-Free Zones).</p> <p>A felony increased under Health &amp; Safety Code 481.140 (Use of Child in Commission of Offense).</p> <p>Any offense committed on or after 09/01/1996 with a <u>prior</u> conviction to include any above listed offenses.</p>	Ineligible for Mandatory Supervision.	CCP, Art. 42.18 Gov't Code 508.149

<b>80<sup>th</sup> LEGISLATURE</b>		
<b>09/01/2007 - present</b>		
<b>OFFENSES</b>	<b>PAROLE ELIGIBILITY</b>	<b>COMMENTS</b>
<p>Capital Murder (Capital Felony) Death or Life without Parole – 19.03</p> <ol style="list-style-type: none"> <li>1) Murder of a peace officer or . reman on of. cial duty,</li> <li>2) Intentionally murders a person in the course of committing or attempting to commit a kidnapping, burglary, robbery, aggravated sexual assault, arson, obstruction, or retaliation, or terroristic threat - 22.07(a)(1, 3, 4, 5, or 6),</li> <li>3) Murders for remuneration,</li> <li>4) Murders while escaping or attempting to escape from a penal institution,</li> <li>5) Murders an employee of a penal institution while incarcerated,</li> <li>6) Murders with intent to establish or participate in an alliance of individuals,</li> <li>7) A person convicted of murder who murders while incarcerated,</li> <li>8) Murders while serving a sentence of Life or 99 years for Aggravated Kidnapping, Aggravated Sexual Assault, or Aggravated Robbery,</li> <li>9) Murders more than one person during the same criminal transaction, or during different criminal transactions but the murders are committed pursuant to the same scheme,</li> <li>10) Murders an individual under six years of age.</li> <li>11) Murders in retaliation for/on account of service/status as judge or justice of courts.</li> </ol>	<p>Not eligible for Parole or MS release.</p> <p>Punishable by Death or Life without Parole only.</p> <p>Prohibits anyone younger than 18yrs. of age to be punished by Death.</p>	<p>Gov't Code 508.046</p> <p>Full Board vote + written report from Texas Department of Criminal Justice, regardless of date of offense:</p> <ul style="list-style-type: none"> <li>- Includes predecessor offense of Murder w/Malice Aforethought when characteristics of crime match de. nition of capital felony.</li> </ul> <p>SB45 Effective 09/01/1995 - Extraordinary Vote Effective 09/01/2005</p>
<p>Offender is serving a Life Sentence for one of the following listed offenses:</p> <ul style="list-style-type: none"> <li>- Aggravated Kidnapping (with intent to violate or abuse the victim sexually) - 20.04(a)(4)</li> <li>- Aggravated Sexual Assault – 22.021</li> <li>- Burglary of Habitation with Intent to Commit any of the following listed sexual offenses: - 30.02 <ul style="list-style-type: none"> <li>- Aggravated Sexual Assault – 22.021</li> <li>- Indecency w/Child – 21.11</li> <li>- Obscenity (images of child under the age of 18) - 43.23</li> <li>- Poss or Promotion of Child Pornography – 43.26</li> <li>- Prohibited Sexual Conduct – 25.02</li> <li>- Sexual Assault – 22.011</li> </ul> </li> </ul>	<p>Calendar Time = 35 yrs.</p>	<p>Gov't Code 508.145 PC 12.42c</p>

80 <sup>th</sup> LEGISLATURE (continued)		
09/01/2007 - present		
OFFENSES	PAROLE ELIGIBILITY	COMMENTS
<ul style="list-style-type: none"> <li>- Sexual Performance by a Child - 43.25</li> <li>- Sexual Assault - 22.011</li> </ul> <p>AND has a previous conviction for one of the above listed offenses or one of the following offenses:</p> <ul style="list-style-type: none"> <li>- Burglary of Habitation with Intent to Commit any of the following listed sexual offenses: - 30.02 <ul style="list-style-type: none"> <li>- Aggravated Kidnapping (with intent to violate or abuse the victim sexually) - 20.04(a)(4)</li> </ul> </li> <li>- Indecency w/Child - 21.11(a)(1)</li> <li>- Possession or Promotion of Child Pornography - 43.26</li> <li>- Prohibited Sexual Conduct - 25.02</li> <li>- Sexual Assault - 22.011</li> <li>- Sexual Performance by a Child - 43.25</li> </ul> <p>Offense in another state substantially similar to any of the above offenses.</p>		
<p>3g Offenses:</p> <ul style="list-style-type: none"> <li>- Aggravated Kidnapping - 20.04</li> <li>- Aggravated Robbery - 29.03</li> <li>- Aggravated Sexual Assault - 22.021</li> <li>- Any offense with Affirmative Finding of Deadly Weapon</li> <li>- Capital Murder - 19.03</li> <li>- Indecency w/Child (Sexual Contact) 2<sup>nd</sup> Degree - 21.11(a)(1)</li> <li>- *Injury to a Child or Elderly or Disabled Individual, 1<sup>st</sup> Degree - 22.04 (applies only to Child victim 14 or younger)</li> <li>- Murder, 1<sup>st</sup> Degree - 19.02</li> <li>- *Sexual Performance by a Child - 43.25, all subsections</li> </ul> <p>A felony increased under Health &amp; Safety Code 481.134 (Drug-Free Zones).</p> <p>A Felony Increased Under Health &amp; Safety Code 481.140 (Use of Child in Commission of Offense).</p>	<p>Calendar Time = ½ Minimum of 2 yrs. Maximum of 30 yrs.</p>	<p>CCP, Art. 42.12 Gov't Code 508.046</p> <p>Full Board vote + written report from Texas Department of Criminal Justice, regardless of date of offense <b>ONLY</b> for the following offenses:</p> <ul style="list-style-type: none"> <li>- Agg Sexual Assault - 22.021 (includes predecessor offenses for Agg Sexual Abuse and Agg Rape)</li> <li>- Indecency w/Child (Sexual Contact) - 21.11(a)(1)</li> </ul> <p>SB45 Effective 09/01/1995 - Extraordinary Vote * Effective 09/01/2007</p>
<p>Medically Recommended Intensive Supervision (MRIS)</p> <p>Condition requiring long term care Elderly Mentally Ill Mentally Retarded Physically handicapped Terminally Ill</p>	<p>3g offenses are eligible *Sex offenders are now eligible if:</p> <ul style="list-style-type: none"> <li>- Persistent vegetative state,</li> <li>- Organic brain syndrome, or</li> <li>- Signi. cant or total mobility impairment.</li> <li>- Can be earlier than parole eligibility date.</li> <li>- Based on medical evaluation, offender is no longer a threat to society.</li> </ul> <p>Sentence of death excluded. Life without Parole excluded.</p>	<p>Gov't Code 508.146 as described in 508.145(f)</p> <p>Above criteria + approval by Texas Correctional Office on Offenders with Medical and Mental Impairments (TCOOMMI).</p> <p>* Effective 09/01/2007</p>

<b>80<sup>th</sup> LEGISLATURE (continued)</b>		
<b>09/01/2007 - present</b>		
<b>OFFENSES</b>	<b>PAROLE ELIGIBILITY</b>	<b>COMMENTS</b>
All other 1 <sup>st</sup> , 2 <sup>nd</sup> , and 3 <sup>rd</sup> degree felony offenses (a court may reduce the punishment of a 3 <sup>rd</sup> degree felony by imposing the con. nement of a Class A Misdemeanor).	Calendar Time + Good Time = 1/4, including work credits and bonus time. Maximum of 15 yrs.	
Drug-Free Zones	Calendar Time = 5 yrs. or maximum term, whichever is less.	Gov't code 508.145(e)
State Jail Felonies	Parole Eligibility is NOT applicable.	Con. nement is to a state jail for any term of not more than two years or less than 180 days.
The offenses listed below are NOT eligible for Mandatory Supervision: <ul style="list-style-type: none"> <li>- Aggravated Assault, 1<sup>st</sup> or 2<sup>nd</sup> Degree - 22.02</li> <li>- Aggravated Kidnapping, 1<sup>st</sup> or 2<sup>nd</sup> Degree - 20.04</li> <li>- Aggravated Robbery - 29.03</li> <li>- Aggravated Sexual Assault - 22.021</li> <li>- Any offense with Af. rmative . nding of Deadly Weapon</li> <li>- Arson, 1<sup>st</sup> Degree - 28.02</li> <li>- Burglary, 1<sup>st</sup> Degree - 30.02</li> <li>- Capital Murder - 19.03</li> <li>- Indecency w/Child - 21.11</li> <li>- Injury to a Child or Elderly or Disabled Individual, 1<sup>st</sup> Degree - 22.04</li> <li>- Murder, 1<sup>st</sup> or 2<sup>nd</sup> Degree - 19.02</li> <li>- Robbery, 2<sup>nd</sup> Degree - 29.02</li> <li>- Sexual Assault, 2<sup>nd</sup> Degree - 22.011</li> <li>- Sexual Performance by a Child - 43.25</li> </ul> <p>A felony increased under Health &amp; Safety Code 481.134 (Drug-Free Zones).</p> <p>A felony increased under Health &amp; Safety Code 481.140 (Use of Child in Commission of Offense).</p> <p>Any offense committed on or after 09/01/1996 with a prior conviction to include any above listed offenses.</p>	Ineligible for Mandatory Supervision.	CCP, Art. 42.18 Gov't Code 508.149
* The offenses listed below are NOT eligible for Parole or Mandatory Supervision: <ul style="list-style-type: none"> <li>- Aggravated Sexual Assault - 22.021(f)</li> <li>- Continuous sexual abuse of a young child or children - 21.02</li> </ul>	Ineligible for Parole. Ineligible for Mandatory Supervision.	Gov't Code 508.145(a) Gov't Code 508.149  * Effective 09/01/2007