

Dear, Texas Representative,

During the 78th session SB 1577 was passed, it is a contradiction to current Texas law concerning deferred adjudication and should not have been passed.

SB 1577 states in part:

(d) For the purposes of Subsections (a)(6) and (c)(5), a person is considered convicted if a sentence is imposed on the person, the person receives community supervision, **including deferred adjudication** community supervision, or the court defers final disposition of the person's case.

This is a contradiction to current law.

Art. 42.01. [766] [853] [831] Judgment (Deferred Adjudication)

(c) On expiration of a community supervision period imposed under Subsection (a)[**Deferred Adjudication**] of this section, if the judge has not proceeded to adjudication of guilt, the judge shall dismiss the proceedings against the defendant and discharge him. The judge may dismiss the proceedings and discharge a defendant, other than a defendant charged with an offense requiring the defendant to register as a sex offender under Chapter 62, as added by Chapter 668, Acts of the 75th Legislature, Regular Session, 1997, prior to the expiration of the term of community supervision if in the judge's opinion the best interest of society and the defendant will be served. The judge may not dismiss the proceedings and discharge a defendant charged with an offense requiring the defendant to register under Chapter 62, as added by Chapter 668, Acts of the 75th Legislature, Regular Session, 1997. **Except as provided by Section 12.42(g), Penal Code, a dismissal and discharge under this section may not be deemed a conviction for the purposes of disqualifications or disabilities imposed by law for conviction of an offense. For any defendant who receives a dismissal and discharge under this section:**

Please help repeal the language of SB 1577 because it clashes with the original law concerning deferred adjudication.

Please repeal the 78th sessions SB 1577.

Print Your name and address.

Put the address of your State Rep here:

Sign Here X: _____