

By: Huffman

S.B. No. 1561

A BILL TO BE ENTITLED

1 AN ACT
2 relating to an educational and vocational training pilot program
3 for certain state jail felony defendants and certain inmates
4 released on parole; changing parole eligibility.

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

6 SECTION 1. Articles 42A.562(a) and (f), Code of Criminal
7 Procedure, are amended to read as follows:

8 (a) Except as provided by Subsection (b), a judge assessing
9 punishment in a state jail felony case may suspend the imposition of
10 the sentence and place the defendant on community supervision with
11 the condition [~~conditions~~] that the defendant[+]

12 [~~(1) submit at the beginning of the term of community~~
13 ~~supervision to confinement in a state jail felony facility for a~~
14 ~~term not to exceed 90 days; and~~

15 [~~(2)~~] participate in a program operated under Section
16 493.034 [~~507.007~~], Government Code.

17 (f) A defendant placed on community supervision under this
18 article must participate fully in the program described by
19 Subsection (a) [~~(a)(2)~~]. The provisions of Subchapter P
20 authorizing the judge to revoke a defendant's community supervision
21 or otherwise sanction the defendant apply with respect to a
22 defendant who violates the requirement of this subsection.

23 SECTION 2. Section 507.007, Government Code, is transferred
24 to Chapter 493, Government Code, redesignated as Section 493.034,

1 Government Code, and amended to read as follows:

2 Sec. 493.034 [~~507.007~~]. EDUCATIONAL AND VOCATIONAL
3 TRAINING PILOT PROGRAM. (a) The department shall establish a pilot
4 program to provide educational and vocational training,
5 employment, and reentry services to:

6 (1) defendants placed on community supervision [~~and~~
7 ~~required to serve a term of confinement in a state jail felony~~
8 ~~facility~~] under Article 42A.562, Code of Criminal Procedure; and

9 (2) inmates released on parole who are required to
10 participate in the program as a condition of parole imposed under
11 Section 508.1455.

12 (b) The department, in consultation with interested
13 parties, shall determine the eligibility criteria for a defendant
14 or inmate to participate in the pilot program, including requiring
15 the defendant or inmate to arrange for suitable housing while
16 participating in the program.

17 (c) The department, in consultation with interested
18 parties, shall identify at least two and [~~determine~~] not more than
19 four locations in this state in which the pilot program will
20 operate. In identifying [~~determining~~] the locations, the
21 department shall consider locating the program in various regions
22 throughout the state, including locations having a variety of
23 population sizes. The department shall also give consideration to
24 whether a risk and needs assessment is generally conducted before
25 sentencing defendants in a particular location and to the degree to
26 which local judges show support for the establishment of the
27 program in a particular location.

1 (d) The department shall issue a request for proposals from
2 public or private entities to provide services through the pilot
3 program. The department shall select one or more qualified
4 applicants to provide services through the program to eligible
5 defendants and inmates.

6 (e) The pilot program consists of approximately 180 days of
7 employment-related services and support and must include:

8 (1) an initial period during which the defendant or
9 inmate will:

10 (A) receive training and education related to the
11 defendant's or inmate's vocational goals; and

12 (B) be employed by the provider;

13 (2) job placement services designed to provide
14 employment for the defendant or inmate after the period described
15 by Subdivision (1);

16 (3) assistance in obtaining a high school diploma or
17 industry certification for applicable defendants and inmates;

18 (4) life-skills training, including information about
19 budgeting and money management; and

20 (5) counseling and mental health services.

21 (f) The department shall limit the number of defendants and
22 inmates who may participate in the pilot program to not more than 45
23 individuals [~~defendants~~] per quarter per program location.

24 (g) The department shall pay providers not less than \$40 per
25 day for each participant.

26 SECTION 3. Subchapter E, Chapter 508, Government Code, is
27 amended by adding Section 508.1455 to read as follows:

1 Sec. 508.1455. EARLY RELEASE ON PAROLE FOR CERTAIN INMATES
2 REQUIRED TO PARTICIPATE IN EDUCATIONAL AND VOCATIONAL TRAINING
3 PILOT PROGRAM. (a) This section applies only to an inmate:

4 (1) who is serving a sentence for a drug related felony
5 of the third degree, other than an offense under Title 5, Penal
6 Code, or under Chapter 43 or 71 of that code;

7 (2) who has not previously been convicted of a felony
8 under Title 5, Penal Code, or under Chapter 43 or 71 of that code;
9 and

10 (3) whose eligibility for parole is computed under
11 Section 508.145(f).

12 (b) Notwithstanding any other law, a parole panel may
13 release on parole an inmate described by Subsection (a)
14 approximately 180 days before the date the inmate would be eligible
15 for release on parole under Section 508.145(f).

16 (c) A parole panel releasing an inmate on parole under this
17 section shall require as a condition of release on parole that the
18 inmate participate in a program operated under Section 493.034, to
19 begin immediately following the inmate's release on parole.

20 (d) For purpose of consideration by a parole panel for early
21 release on parole under Subsection (b), the department shall
22 annually identify not fewer than 100 inmates described by
23 Subsection (a) who are suitable candidates for participation in a
24 program operated under Section 493.034. The board and the
25 department shall jointly adopt rules for identifying inmates under
26 this subsection.

27 (e) The board shall adopt rules governing the release of an

1 inmate on parole under this section.

2 SECTION 4. Article 42A.562(d), Code of Criminal Procedure,
3 is repealed.

4 SECTION 5. The change in law made by this Act applies to any
5 inmate who is confined in a facility operated by or under contract
6 with the Texas Department of Criminal Justice on or after the
7 effective date of this Act, regardless of whether the offense for
8 which the inmate is confined occurred before, on, or after the
9 effective date of this Act.

10 SECTION 6. This Act takes effect September 1, 2021.