

By: Parker, et al.

S.B. No. 2405

A BILL TO BE ENTITLED

AN ACT

relating to the continuation and functions of the Texas Board of Criminal Justice and the Texas Department of Criminal Justice and to the functions of the Board of Pardons and Paroles, the Correctional Managed Health Care Committee, the Texas Correctional Office on Offenders with Medical or Mental Impairments, and the Windham School District.

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

SECTION 1. Article 2A.001, Code of Criminal Procedure, is amended to read as follows:

Art. 2A.001. PEACE OFFICERS GENERALLY. The following are peace officers:

(1) a sheriff, a sheriff's deputy, or a reserve deputy sheriff who holds a permanent peace officer license issued under Chapter 1701, Occupations Code;

(2) a constable, a deputy constable, or a reserve deputy constable who holds a permanent peace officer license issued under Chapter 1701, Occupations Code;

(3) a marshal or police officer of a municipality or a reserve municipal police officer who holds a permanent peace officer license issued under Chapter 1701, Occupations Code;

(4) a ranger, officer, or member of the reserve officer corps commissioned by the Public Safety Commission and the director of the Department of Public Safety;

1 (5) an investigator of a district attorney's, criminal
2 district attorney's, or county attorney's office;

3 (6) a law enforcement agent of the Texas Alcoholic
4 Beverage Commission;

5 (7) a member of an arson investigating unit
6 commissioned by a municipality, a county, or the state;

7 (8) an officer commissioned under Section 37.081,
8 Education Code, or Subchapter E, Chapter 51, Education Code;

9 (9) an officer commissioned by the Texas Facilities
10 Commission;

11 (10) a law enforcement officer commissioned by the
12 Parks and Wildlife Commission;

13 (11) an officer commissioned under Chapter 23,
14 Transportation Code;

15 (12) a municipal park and recreational patrol officer
16 or security officer;

17 (13) a security officer or investigator commissioned
18 as a peace officer by the comptroller;

19 (14) an officer commissioned by a water control and
20 improvement district under Section 49.216, Water Code;

21 (15) an officer commissioned by a board of trustees
22 under Chapter 54, Transportation Code;

23 (16) an investigator commissioned by the Texas Medical
24 Board;

25 (17) an officer commissioned by:

26 (A) the board of managers of the Dallas County
27 Hospital District, the Tarrant County Hospital District, the Bexar

County Hospital District, or the El Paso County Hospital District under Section 281.057, Health and Safety Code;

(B) the board of directors of the Ector County Hospital District under Section 1024.117, Special District Local Laws Code;

(C) the board of directors of the Midland County Hospital District of Midland County, Texas, under Section 1061.121, Special District Local Laws Code; or

(D) the board of hospital managers of the Lubbock County Hospital District of Lubbock County, Texas, under Section 1053.113, Special District Local Laws Code;

(18) a county park ranger commissioned under Subchapter E, Chapter 351, Local Government Code;

(19) an investigator employed by the Texas Racing Commission;

(20) an officer commissioned under Chapter 554, Occupations Code;

(21) an officer commissioned by the governing body of a metropolitan rapid transit authority under Section 451.108, Transportation Code, or a regional transportation authority under Section 452.110, Transportation Code;

(22) an investigator commissioned by the attorney general under Section 402.009, Government Code;

(23) a security officer or investigator commissioned as a peace officer under Chapter 466, Government Code;

(24) an officer appointed by an appellate court under Subchapter F, Chapter 53, Government Code;

1 (25) an officer commissioned by the state fire marshal
2 under Chapter 417, Government Code;

3 (26) an investigator commissioned by the commissioner
4 of insurance under Section 701.104, Insurance Code;

5 (27) an apprehension specialist or inspector general
6 commissioned by the Texas Juvenile Justice Department as an officer
7 under Section 242.102 or 243.052, Human Resources Code;

8 (28) an officer commissioned ~~[appointed]~~ by the
9 inspector general of the Texas Department of Criminal Justice under
10 Section 493.019, Government Code;

11 (29) an investigator commissioned by the Texas
12 Commission on Law Enforcement under Section 1701.160, Occupations
13 Code;

14 (30) a fire marshal or any related officer, inspector,
15 or investigator commissioned by a county under Subchapter B,
16 Chapter 352, Local Government Code;

17 (31) a fire marshal or any officer, inspector, or
18 investigator commissioned by an emergency services district under
19 Chapter 775, Health and Safety Code;

20 (32) an officer commissioned by the State Board of
21 Dental Examiners under Section 254.013, Occupations Code, subject
22 to the limitations imposed by that section; and

23 (33) an investigator commissioned by the Texas
24 Juvenile Justice Department as an officer under Section 221.011,
25 Human Resources Code.

26 SECTION 2. Article 66.351, Code of Criminal Procedure, is
27 amended to read as follows:

1 Art. 66.351. BIENNIAL PLANS. The Department of Public
2 Safety and the Texas Department of Criminal Justice, with advice
3 from ~~[the council and]~~ the Department of Information Resources,
4 shall develop biennial plans to:

5 (1) improve the reporting and accuracy of the criminal
6 justice information system; and

7 (2) develop and maintain monitoring systems capable of
8 identifying missing information.

9 SECTION 3. Articles 66.352(a), (c), (d), (e), and (f), Code
10 of Criminal Procedure, are amended to read as follows:

11 (a) At least once during each five-year period, the state
12 auditor ~~[council]~~ shall conduct ~~[coordinate]~~ an examination of the
13 records and operations of the criminal justice information system
14 to ensure:

15 (1) the accuracy and completeness of information in
16 the system; and

17 (2) the promptness of information reporting.

18 (c) The ~~[council, the]~~ Department of Public Safety~~[7]~~ and
19 the Texas Department of Criminal Justice may examine the records of
20 the agencies required to report information to the Department of
21 Public Safety or the Texas Department of Criminal Justice.

22 (d) The state auditor ~~[examining entity under Subsection~~
23 ~~(b)]~~ shall submit to the legislature and the governor ~~[council]~~ a
24 report that summarizes the findings of each examination and
25 contains recommendations for improving the criminal justice
26 information system.

27 (e) Not later than the first anniversary of the date the

1 state auditor [~~examining entity under Subsection (b)~~] submits a
2 report under Subsection (d), the Department of Public Safety shall
3 report to the Legislative Budget Board and[~~7~~] the governor[~~7~~, ~~and~~
4 ~~the council~~] the department's progress in implementing the state
5 auditor's [~~examining entity's~~] recommendations, including the
6 reason for not implementing any recommendation.

7 (f) Each year following the submission of the report
8 described by Subsection (e), the Department of Public Safety shall
9 submit a similar report until each of the state auditor's
10 [~~examining entity's~~] recommendations is implemented.

11 SECTION 4. Section 19.003, Education Code, is amended to
12 read as follows:

13 Sec. 19.003. GOALS OF THE DISTRICT. The goals of the
14 district in educating its students are to:

- 15 (1) reduce recidivism;
- 16 (2) reduce the cost of confinement or imprisonment;
- 17 (3) increase the success of former students [~~inmates~~]
18 in obtaining and maintaining employment; and
- 19 (4) provide an incentive to students [~~inmates~~] to
20 behave in positive ways during confinement or imprisonment.

21 SECTION 5. Section 19.004(c), Education Code, is amended to
22 read as follows:

- 23 (c) The district shall:
- 24 (1) develop educational programs specifically
25 designed for persons eligible under Section 19.005 and ensure that
26 those programs, such as a high school equivalency program [~~CED~~] and
27 an English as a second language program [~~ESL~~], are integrated with

1 an applied career and technical ~~[vocational]~~ context leading to
2 employment;

3 (2) ~~[(1-a)]~~ develop career and technical education
4 ~~[vocational training]~~ programs specifically designed for persons
5 eligible under Section 19.005 and prioritize the programs that
6 result in certification or licensure, considering the impact that a
7 previous felony conviction has on the ability to secure
8 certification, licensure, and employment;

9 (3) ~~[(1-b)]~~ continually assess job markets in this
10 state and update, augment, and expand the career and technical
11 education ~~[vocational training]~~ programs developed under
12 Subdivision (2) ~~[(1-a)]~~ as necessary to provide relevant and
13 marketable skills to students; and

14 (4) ~~[(2)]~~ coordinate educational programs and
15 services in the department with those provided by other state
16 agencies, by political subdivisions, and by persons who provide
17 programs and services under contract.

18 SECTION 6. Section 19.0041(a), Education Code, is amended
19 to read as follows:

20 (a) To evaluate the effectiveness of its programs, the
21 Windham School District shall compile and analyze information for
22 each of its programs, including performance-based information and
23 data related to academic, career and technical education
24 ~~[vocational training]~~, ~~[and]~~ life skills, and postsecondary
25 education programs. This information shall be disaggregated by sex
26 and include for each person who participates in district programs
27 an evaluation of:

- 1 (1) institutional disciplinary violations;
- 2 (2) subsequent arrests;
- 3 (3) subsequent convictions or confinements;
- 4 (4) the cost of confinement;
- 5 (5) educational achievement;
- 6 (6) high school equivalency examination passage;
- 7 (7) the kind of training services provided;
- 8 (8) the kind of employment the person obtains on
- 9 release;
- 10 (9) whether the employment was related to training;
- 11 (10) the difference between the amount of the person's
- 12 earnings on the date employment is obtained following release and
- 13 the amount of those earnings on the first anniversary of that date;
- 14 ~~[and]~~
- 15 (11) the retention factors associated with the
- 16 employment; and
- 17 (12) the number and percentage of students who
- 18 completed training in a regulated industry who applied for and were
- 19 issued or denied a certificate or license by a state agency.

20 SECTION 7. Section 19.0042, Education Code, is amended to
21 read as follows:

22 Sec. 19.0042. INFORMATION TO BE PROVIDED BY DISTRICT BEFORE
23 CAREER AND TECHNICAL EDUCATION ~~[VOCATIONAL TRAINING]~~ PROGRAM
24 ENROLLMENT. Before a person described by Section 19.005 enrolls in
25 a district career and technical education ~~[vocational training]~~
26 program, the district must inform the person in writing of:

- 27 (1) any rule or policy of a state agency that would

1 impose a restriction or prohibition on the person in obtaining a
2 certificate or license in connection with the career and technical
3 education [~~vocational training~~] program;

4 (2) the total number of district students released
5 during the preceding 10 years who have completed a district career
6 and technical education [~~vocational training~~] program that allows
7 for an opportunity to apply for a certificate or license from a
8 state agency and, of those students:

9 (A) the number who have applied for a certificate
10 or license from a state agency;

11 (B) the number who have been issued a certificate
12 or license by a state agency; and

13 (C) the number who have been denied a certificate
14 or license by a state agency; and

15 (3) the procedures for:

16 (A) requesting a criminal history evaluation
17 letter under Section 53.102, Occupations Code;

18 (B) providing evidence of fitness to perform the
19 duties and discharge the responsibilities of a licensed occupation
20 for purposes of Section 53.023, Occupations Code; and

21 (C) appealing a state agency's denial of a
22 certificate or license, including deadlines and due process
23 requirements:

24 (i) to the State Office of Administrative
25 Hearings under Subchapter C, Chapter 2001, Government Code; and

26 (ii) through any other available avenue.

27 SECTION 8. Section 19.010(a), Education Code, is amended to

read as follows:

(a) The district shall propose, and the board shall adopt with any modification the board finds necessary, a strategic plan that includes:

(1) a mission statement relating to the goals and duties of the district under this chapter;

(2) goals to be met by the district in carrying out the mission stated; and

(3) specific educational, career and technical education [~~vocational training~~], and counseling programs to be conducted by the district to meet the goals stated in the plan.

SECTION 9. Section 19.011, Education Code, is amended by amending Subsection (b) and adding Subsection (c) to read as follows:

(b) The district shall coordinate career and technical [~~vocational~~] education and job training programs with a local workforce development board authorized by the Texas Workforce Commission to ensure that district students are equipped with the skills necessary to compete for current and emerging jobs.

(c) The district may enter into an agreement with a governmental entity, including the Texas Workforce Commission, the Department of Public Safety, the Texas Department of Licensing and Regulation, other regulatory entities, or the Texas Higher Education Coordinating Board, to obtain and share data necessary to support and evaluate district and postsecondary education programs within the department.

SECTION 10. Section 491.001(a), Government Code, is amended

by adding Subdivision (6-a) to read as follows:

(6-a) "Office of the inspector general" means the office of the inspector general for the department established under Section 493.019.

SECTION 11. Section 492.002(a), Government Code, is amended to read as follows:

(a) The board is composed of nine members appointed by the governor with the advice and consent of the senate. At least two members must have significant business or corporate experience.

The governor may not appoint more than two members who reside in an area encompassed by the same administrative judicial region, as determined by Section 74.042.

SECTION 12. Section 492.0031, Government Code, is amended by amending Subsection (b) and adding Subsection (d) to read as follows:

(b) The training program must provide the person with information regarding:

(1) the law governing board and ~~[legislation that created the]~~ department operations ~~[and the board]~~;

(2) the programs, functions, rules, and budget of ~~[operated by]~~ the department;

(3) the scope of and limitations on the rulemaking authority ~~[role and functions]~~ of the board ~~[department]~~;

(4) ~~[the rules of the department, with an emphasis on the rules that relate to disciplinary and investigatory authority,~~

~~[(5) the current budget for the department,~~

~~[(6)]~~ the results of the most recent formal audit of

the department;

(5) ~~[(7)]~~ the requirements of:

(A) the laws relating to open meetings, public information, administrative procedure, and disclosing conflicts of interest ~~[law, Chapter 551]~~; and

(B) other laws applicable to members of a state policy-making body in performing their duties ~~[the public information law, Chapter 552]~~;

~~[(C) the administrative procedure law, Chapter 2001]~~; and

~~[(D) other laws relating to public officials, including conflict of interest laws]~~; and

(6) ~~[(8)]~~ any applicable ethics policies adopted by the department or the Texas Ethics Commission.

(d) The executive director shall create a training manual that includes the information required by Subsection (b). The executive director shall distribute a copy of the training manual annually to each member of the board. Each member of the board shall sign and submit to the executive director a statement acknowledging that the member received and has reviewed the training manual.

SECTION 13. Section 492.012, Government Code, is amended to read as follows:

Sec. 492.012. SUNSET PROVISION. The Texas Board of Criminal Justice and the Texas Department of Criminal Justice are subject to Chapter 325 (Texas Sunset Act). Unless continued in existence as provided by that chapter, the board and the department

are abolished September 1, 2037 [~~2025~~].

SECTION 14. Section 492.013, Government Code, is amended by amending Subsections (a), (c), and (e) and adding Subsections (a-1) and (b-1) to read as follows:

(a) The board shall maintain oversight and supervision of the following independent reporting entities:

(1) the office of the independent auditor;

(2) the office of the independent ombudsman;

(3) the office of the inspector general;

(4) the office of the ombudsperson appointed under Section 501.172; and

(5) the office providing legal representation under Article 26.051, Code of Criminal Procedure, and Section 841.005, Health and Safety Code.

(a-1) The board may adopt rules as necessary for its own procedures and for operation of the department and the independent reporting entities.

(b-1) The board shall employ a director for each independent reporting entity, and each director serves at the pleasure of the board.

(c) The board shall approve the operating budget of and requests for appropriations for the department and the independent reporting entities [~~and the department's request for appropriations~~].

(e) The board shall develop and implement policies that clearly separate the policymaking responsibilities of the board and the management responsibilities of the executive director and the

1 staff of the department and the independent reporting entities.

2 SECTION 15. Section 493.002(a), Government Code, is amended
3 to read as follows:

4 (a) The following divisions are within the department:

5 (1) the community justice assistance division;

6 (2) the institutional division;

7 (3) the pardons and paroles division;

8 (4) ~~[the state jail division,~~

9 ~~(5)]~~ the internal audit division; and

10 (5) [(6)] the rehabilitation and reentry [programs
11 ~~and services]~~ division.

12 SECTION 16. Section 493.0021(a), Government Code, is
13 amended to read as follows:

14 (a) Notwithstanding Sections 493.002, 493.003, 493.004,
15 493.005, ~~[493.0051,~~ 493.0052, ~~[as added by Chapter 1360, Acts of~~
16 ~~the 75th Legislature, Regular Session, 1997,~~ and 493.0053
17 ~~[493.0052, as added by Chapter 490, Acts of the 75th Legislature,~~
18 ~~Regular Session, 1997]~~, the executive director, with the approval
19 of the board, may:

20 (1) create divisions in addition to those listed in
21 Section 493.002 and assign to the newly created divisions any
22 duties and powers imposed on or granted to an existing division or
23 to the department generally;

24 (2) eliminate any division listed in Section 493.002
25 or created under this section and assign any duties or powers
26 previously assigned to the eliminated division to another division
27 listed in Section 493.002 or created under this section; or

(3) eliminate all divisions listed in Section 493.002 or created under this section and reorganize the distribution of powers and duties granted to or imposed on a division in any manner the executive director determines is best for the proper administration of the department.

SECTION 17. Section 493.004, Government Code, is amended to read as follows:

Sec. 493.004. INSTITUTIONAL DIVISION. The institutional division shall operate and manage:

- (1) the state prison system; and
- (2) state jails to confine defendants described by Section 507.002.

SECTION 18. Section 493.0053, Government Code, is amended to read as follows:

Sec. 493.0053. REHABILITATION AND REENTRY [~~PROGRAMS AND SERVICES~~] DIVISION. (a) The rehabilitation and reentry [~~programs and services~~] division shall administer those rehabilitation and reintegration programs and services designated by the board under Subsection (b).

(b) The board shall determine which programs and services operating under the authority of the department are designed for the primary purpose of rehabilitating inmates and shall designate those programs and services as programs and services provided under the direction of the rehabilitation and reentry [~~programs and services~~] division.

SECTION 19. Section 493.0083, Government Code, is amended to read as follows:

1 Sec. 493.0083. PROGRAM EVALUATION CAPABILITY. The
2 department shall maintain a program evaluation capability separate
3 from the rehabilitation and reentry [~~programs and services~~]
4 division to determine the effectiveness of rehabilitation and
5 reintegration programs and services provided to inmates and other
6 offenders under the jurisdiction of the department.

7 SECTION 20. Chapter 493, Government Code, is amended by
8 adding Section 493.0084 to read as follows:

9 Sec. 493.0084. INVENTORY AND EVALUATION OF ACTIVE PROGRAMS.

10 (a) The department shall develop and maintain a comprehensive
11 inventory of active programs and activities offered in department
12 facilities that includes the following information for each
13 program:

14 (1) program goals;

15 (2) program capacity; and

16 (3) facilities where the program is offered.

17 (b) The department shall make the inventory available to the
18 public on the department's Internet website and continuously update
19 the inventory.

20 (c) The department shall collect and analyze data for the
21 programs described by Subsection (a) to provide oversight of the
22 programs and to improve program offerings.

23 (d) In carrying out the department's duties under
24 Subsection (c), the department shall:

25 (1) for programs claiming rehabilitative or reentry
26 effects:

27 (A) collect results-based performance data;

1 (B) work with qualified internal or external
2 researchers to develop criteria to evaluate the programs; and

3 (C) use the criteria developed under Paragraph
4 (B) to evaluate the programs, including the data described by
5 Paragraph (A);

6 (2) create a separate correctional elective programs
7 and activities category for non-evidence-based and
8 non-evidence-informed programs and develop criteria to evaluate
9 the programs;

10 (3) collect and analyze relevant data for program
11 participants in programs claiming rehabilitative or reentry
12 effects, such as:

13 (A) institutional disciplinary violations;

14 (B) subsequent arrests;

15 (C) subsequent convictions or confinements;

16 (D) employment obtained following release; and

17 (E) cost of confinement; and

18 (4) use the data described by Subdivision (3) to
19 produce and compare recidivism rates and other correctional impact
20 trends and to make changes to the programs as needed.

21 (e) The department may make structural or programmatic
22 adjustments to improve program performance in response to a program
23 evaluation under this section indicating poor program performance.

24 (f) Not later than December 1 of each even-numbered year,
25 the department shall submit a report on the department's analysis
26 of programs described by Subsection (a) to the board, the Board of
27 Pardons and Paroles, the governor, the lieutenant governor, the

1 speaker of the house of representatives, and each standing
2 committee of the legislature with primary jurisdiction over the
3 department.

4 (g) The department may enter into a memorandum of
5 understanding with other entities to obtain and share data
6 necessary to evaluate programs under this section.

7 SECTION 21. Section 493.016(d), Government Code, is amended
8 to read as follows:

9 (d) The department shall provide notice [~~a written copy~~] of
10 the department's policies and procedures relating to complaint
11 investigation and resolution to:

12 (1) all department employees; and

13 (2) each person filing a complaint.

14 SECTION 22. Section 493.019, Government Code, is amended to
15 read as follows:

16 Sec. 493.019. OFFICE OF THE INSPECTOR GENERAL [~~ENFORCEMENT~~
17 ~~OFFICERS~~]. (a) The office of the inspector general is established
18 under the direction of the board as an independent law enforcement
19 agency and is responsible for preventing and investigating:

20 (1) offenses committed by department employees and
21 inmates; and

22 (2) offenses committed at a facility operated by or
23 under contract with the department or at any facility in which an
24 individual in the custody of the department is housed or receives
25 medical or mental health treatment, including:

26 (A) unauthorized or illegal entry into a
27 department facility;

1 (B) the introduction of contraband into a
2 department facility;

3 (C) escape from a department facility and parole
4 absconders;

5 (D) organized criminal activity; and

6 (E) violations of department policy or
7 procedure.

8 (b) The board shall employ a commissioned peace officer as
9 the inspector general, who may be terminated by board action.

10 (c) The inspector general may employ and commission
11 ~~[appoint employees who are certified by the Texas Commission on Law~~
12 ~~Enforcement as qualified to be]~~ peace officers for the purpose of
13 carrying out the duties described by this section ~~[to serve under~~
14 ~~the direction of the inspector general and assist the inspector~~
15 ~~general in performing the enforcement duties of the department].~~

16 (d) Peace officers employed and commissioned under
17 Subsection (c) must:

18 (1) be licensed as an officer under Chapter [1701](#),
19 Occupations Code; and

20 (2) complete advanced courses relating to the duties
21 of peace officers employed and commissioned under Subsection (c) as
22 part of any continuing education requirements for the peace
23 officers.

24 (e) The office of the inspector general shall work
25 cooperatively with other law enforcement agencies while performing
26 its duties under this section or other law.

27 SECTION 23. Chapter [493](#), Government Code, is amended by

adding Section 493.036 to read as follows:

Sec. 493.036. LONG-TERM FACILITIES PLAN. (a) The department shall prepare a 10-year plan that identifies the department's facility and capacity needs.

(b) In developing the plan under Subsection (a), the department:

(1) must consider the various regional needs of the state, including any ancillary or community benefits associated with department facilities; and

(2) may contract with a third party as needed.

(c) Not later than September 1, 2026, and every fourth anniversary of that date, the department shall submit:

(1) the plan to the board for approval; and

(2) the approved plan to the governor, the lieutenant governor, the speaker of the house of representatives, and each standing legislative committee with jurisdiction over appropriations or the department.

SECTION 24. Section 497.022, Government Code, is amended to read as follows:

Sec. 497.022. CONTRACTS. The department may contract with:

(1) another state, the federal government, a foreign government, or an agency of any of those governments to manufacture for or sell to those governments prison-made articles or products;

(2) a private or independent institution of higher education to manufacture for or sell to that school or institution prison-made articles or products; or

(3) a private school or a [~~visually handicapped~~]

1 person with visual impairment in this state to manufacture Braille
2 textbooks or other instructional aids for the education of
3 ~~[visually handicapped]~~ persons with visual impairment.

4 SECTION 25. Section 497.094(b), Government Code, is amended
5 to read as follows:

6 (b) The department and the Texas Workforce Investment
7 Council by rule shall adopt a memorandum of understanding that
8 establishes the respective responsibility of those entities to
9 provide through local workforce development boards job training and
10 employment assistance to persons formerly sentenced to the custody
11 of the department ~~[institutional division or the state jail~~
12 ~~division]~~ and information on services available to employers or
13 potential employers of those persons. The department shall
14 coordinate the development of the memorandum of understanding.

15 SECTION 26. Sections 497.112(a) and (c), Government Code,
16 are amended to read as follows:

17 (a) The department ~~[institutional division]~~ shall review
18 annually the agricultural operations of the institutional
19 division. The review must include:

20 (1) a cost-effectiveness analysis of all agricultural
21 programs;

22 (2) a determination as to whether the institutional
23 division could more economically purchase certain agricultural
24 products rather than produce those products; and

25 (3) a determination as to whether certain agricultural
26 operations performed by inmates could be mechanized, taking into
27 account whether mechanization would adversely affect security or

inmate discipline.

(c) The department ~~[institutional division]~~ shall provide the board with a copy of the annual review required by this section.

SECTION 27. Section 499.101, Government Code, is amended to read as follows:

Sec. 499.101. MAXIMUM CAPACITIES ~~[EXISTING UNITS]~~. (a) The board by rule shall establish maximum capacities for the units in the department. ~~[institutional division are as follows:]~~

[Beto I	3,000
[Beto II	888
[Boyd	1,012
[Briscoe	1,012
[Central	720
[Clemens	851
[Clements	2,200
[Coffield	3,000
[Daniel	1,012
[Darrington	1,610
[Diagnostic	1,365
[Eastham	2,050
[Ellis I	1,900
[Ellis II	2,260
[Ferguson	2,100
[Gatesville	1,571
[Goree	1,058
[Hightower	1,012
[Hilltop	761

1	[Hobby	1,012
2	[Hughes	2,264
3	[Huntsville	1,705
4	[Jester I	323
5	[Jester II	378
6	[Jester III	908
7	[Lewis	1,012
8	[McConnell	2,264
9	[Michael	2,264
10	[Mountain View	718
11	[Pack I	864
12	[Pack II	1,088
13	[Panpa	1,012
14	[Ramsey I	1,400
15	[Ramsey II	850
16	[Ramsey III	1,000
17	[Retrieve	770
18	[Roach	1,012
19	[Robertson	2,264
20	[Smith	1,012
21	[Stiles	2,264
22	[Terrell	2,264
23	[Torres	1,012
24	[Wynne	2,300]

25 (b) It is the intent of the legislature that as case law
26 evolves and indicates that maximum capacities for units in the
27 department [~~established under Subsection (a)~~] may be increased, the

1 staff of the department [~~institutional division~~] shall use the
2 procedures established by this subchapter to increase those
3 capacities. There shall be no cause of action against the
4 institutional division for failure to take action under this
5 subsection.

6 SECTION 28. Section 499.102, Government Code, is amended to
7 read as follows:

8 Sec. 499.102. STAFF DETERMINATIONS AND RECOMMENDATIONS.

9 (a) The staff of the department [~~institutional division~~], on its
10 own initiative or as directed by the governor or the board, may
11 recommend to the administration of the institutional division that
12 the maximum capacity [~~established under Section 499.101~~] for a unit
13 be increased if the staff determines through written findings that
14 the division can increase the maximum capacity and provide:

15 (1) proper inmate classification and housing within
16 the unit that is consistent with the classification system;

17 (2) housing flexibility to allow necessary repairs and
18 routine and preventive maintenance to be performed without
19 compromising the classification system;

20 (3) adequate space in dayrooms;

21 (4) all meals within a reasonable time, allowing each
22 inmate a reasonable time within which to eat;

23 (5) operable hygiene facilities that ensure the
24 availability of a sufficient number of fixtures to serve the inmate
25 population;

26 (6) adequate laundry services;

27 (7) sufficient staff to:

(A) meet operational and security needs;

(B) meet health care needs, including the needs of inmates requiring psychiatric care, inmates with an intellectual disability, and inmates with a physical disability;

(C) provide a safe environment for inmates and staff; and

(D) provide adequate internal affairs investigation and review;

(8) medical, dental, and psychiatric care adequate to ensure:

(A) minimal delays in delivery of service from the time sick call requests are made until the service is performed;

(B) access to regional medical facilities;

(C) access to the institutional division hospital at Galveston or contract facilities performing the same services;

(D) access to specialty clinics; and

(E) a sufficient number of psychiatric inpatient beds and sheltered beds for inmates with an intellectual disability;

(9) a fair disciplinary system that ensures due process and is adequate to ensure safety and order in the unit;

(10) work, vocational, academic, and on-the-job training programs that afford all eligible inmates with an opportunity to learn job skills or work habits that can be applied on release, appropriately staffed and of sufficient quality;

(11) a sufficient number and quality of

1 nonprogrammatic and recreational activities for all eligible
2 inmates who choose to participate;

3 (12) adequate assistance from persons trained in the
4 law or a law library with a collection containing necessary
5 materials and space adequate for inmates to use the law library for
6 study related to legal matters;

7 (13) adequate space and staffing to permit contact and
8 noncontact visitation of all eligible inmates;

9 (14) adequate maintenance programs to repair and
10 prevent breakdowns caused by increased use of facilities and
11 fixtures; and

12 (15) space and staff sufficient to provide all the
13 services and facilities required by this section.

14 (b) The staff of the department [~~institutional division~~]
15 shall request of the Legislative Budget Board an estimate of the
16 initial cost of implementing the increase in capacity and the
17 increase in operating costs of the unit for the five years
18 immediately following the increase in capacity. The Legislative
19 Budget Board shall provide the staff with the estimates, and the
20 staff shall attach a copy of the estimates to the recommendations.

21 (c) The staff of the department [~~institutional division~~]
22 may not take more than 90 days from the date the process is
23 initiated to make recommendations on an increase in the maximum
24 capacity for a unit under this section.

25 SECTION 29. Section 499.104, Government Code, is amended to
26 read as follows:

27 Sec. 499.104. OFFICERS' REVIEW AND RECOMMENDATION. The

executive director of the department, the director of the institutional division, the deputy director for operations, the deputy director for finance, the deputy director for programs, the division ~~[deputy]~~ director for health services, and the division ~~[assistant]~~ director for classification and inmate transportation ~~[treatment]~~ shall independently review staff recommendations for an increase in the maximum capacity of a unit and the written findings accompanying the recommendation. Not later than the 30th day after the date of accepting the comments of the other officers, if the executive director agrees that the new maximum capacity for the unit is supported by the findings, the executive director shall forward the recommendation and findings to the board.

SECTION 30. Section 499.105, Government Code, is amended to read as follows:

Sec. 499.105. BOARD REVIEW AND IMPLEMENTATION; NOTICE TO GOVERNOR ~~[RECOMMENDATION]~~. The board shall review the recommendation and findings forwarded to the board under Section 499.104. Not later than the 60th day after the date the board receives the recommendation and findings, the board shall reject the recommendation or accept or modify the recommendation. The board may establish a new maximum capacity based on the accepted or modified recommendation. The board shall ~~[and]~~ forward the recommendation or modified recommendation and findings to the governor. The board may not modify the recommendation by increasing the maximum capacity specified in the recommendation.

SECTION 31. Section 499.108(b), Government Code, is amended to read as follows:

1 (b) Maximum capacity for a unit must be established under
2 this section in the same manner as maximum capacity for a unit is
3 increased under Sections 499.102, 499.104, and 499.105~~[, 499.106,~~
4 ~~and 499.107]~~, except that time limits on official actions imposed
5 by those sections do not apply.

6 SECTION 32. Section 499.109(b), Government Code, is amended
7 to read as follows:

8 (b) The attorney general may authorize the institutional
9 division to increase the inmate population of the division above
10 100 percent, but only if:

11 (1) the staff determines through written findings that
12 the population may be increased without limiting the ability of the
13 division to transfer inmates between units as necessary for
14 classification, medical, and security purposes; and

15 (2) the administration of the department and~~[,]~~ the
16 board~~[, and the governor]~~ approve of the increase, in the same
17 manner as increases in capacity of individual units are approved
18 under Sections 499.104 and~~[,]~~ 499.105~~[, and 499.106]~~.

19 SECTION 33. Subchapter F, Chapter 499, Government Code, is
20 amended by adding Section 499.1214 to read as follows:

21 Sec. 499.1214. PEN PACKET SUBMISSION TRAINING. (a) The
22 department shall develop and provide annual training for county
23 employees on the submission of documents required before the
24 department takes custody of a person being transferred from a
25 county jail to the department, including documents required under
26 Sections 8(a) and (c), Article 42.09, Code of Criminal Procedure.

27 (b) The training required under this section may be offered

1 in person or online. Online training may be offered live or
2 prerecorded.

3 SECTION 34. Section 499.156, Government Code, is amended to
4 read as follows:

5 Sec. 499.156. VOCATIONAL TRAINING. The department shall
6 adopt a policy under which a representative of a public or private
7 entity, including a public or private institution of higher
8 education, may provide vocational training on a voluntary basis to
9 inmates [~~confined in a transfer facility authorized under this~~
10 ~~subchapter~~].

11 SECTION 35. Section 501.002, Government Code, is amended to
12 read as follows:

13 Sec. 501.002. ASSAULT BY EMPLOYEE ON INMATE. If an employee
14 of the department commits an assault on an inmate housed in a
15 facility operated by or under contract with the department, the
16 executive director shall refer the matter to an appropriate law
17 enforcement [~~file a complaint with the proper~~] official [~~of the~~
18 ~~county in which the offense occurred~~]. If an employee is charged
19 with an assault described by this section, an inmate or person who
20 was an inmate at the time of the alleged offense may testify in a
21 prosecution of the offense.

22 SECTION 36. Section 501.009, Government Code, is amended to
23 read as follows:

24 Sec. 501.009. VOLUNTEER AND FAITH-BASED ORGANIZATIONS[~~+~~
25 ~~REPORT~~]. (a) The department shall adopt a policy that requires
26 department staff [~~each warden~~] to identify volunteer and
27 faith-based organizations that provide programs for inmates housed

1 in facilities operated by the department. The policy must require
2 the staff ~~[each warden]~~ to actively encourage volunteer and
3 faith-based organizations to provide the following programs for
4 inmates in department facilities ~~[the warden's facility]~~:

- 5 (1) literacy and education programs;
- 6 (2) life skills programs;
- 7 (3) job skills programs;
- 8 (4) parent-training programs;
- 9 (5) drug and alcohol rehabilitation programs;
- 10 (6) support group programs;
- 11 (7) arts and crafts programs; and
- 12 (8) other programs determined by the department to aid
13 inmates in the transition between confinement and society and to
14 reduce incidence of recidivism among inmates.

15 (b) The policy must require the staff to solicit feedback
16 from the warden and chaplains of each facility on the facility's
17 needs regarding volunteer and faith-based organization provided
18 programs.

19 (c) The department shall include in the biennial report
20 required under Section 493.0084(f) ~~[that each warden submit a~~
21 ~~report to the board not later than December 31 of each year that~~
22 ~~includes, for the preceding fiscal year,~~ a summary of:

23 (1) the programs provided to inmates under this
24 section; and

25 (2) the actions taken ~~[by the warden]~~ to identify
26 volunteer and faith-based organizations willing to provide
27 programs to inmates and to encourage those organizations to provide

1 programs in the department facilities [~~warden's facility~~].

2 SECTION 37. Section 501.017(b), Government Code, is amended
3 to read as follows:

4 (b) The department may not enforce a claim or lien
5 established under this section if the inmate has a surviving spouse
6 or a surviving dependent or child with a disability [~~disabled~~
7 ~~child~~].

8 SECTION 38. Section 501.054(h), Government Code, is amended
9 to read as follows:

10 (h) The department shall report to the legislature not later
11 than December 1 [~~January 15~~] of each even-numbered [~~odd-numbered~~]
12 year concerning the implementation of this section and the
13 participation of inmates and employees of the department in
14 education programs established under this section.

15 SECTION 39. Section 501.055(a), Government Code, is amended
16 to read as follows:

17 (a) If an inmate dies while in the custody of the
18 department, an employee of the facility who is in charge of the
19 inmate shall immediately notify the nearest justice of the peace
20 serving in the county in which the inmate died and the office of
21 inspector general [~~internal affairs~~] for the department. The
22 justice shall personally inspect the body and make an inquiry as to
23 the cause of death. The justice shall make written copies of
24 evidence taken during the inquest, and give one copy to the director
25 and one copy to a district judge serving in the county in which the
26 inmate died. The judge shall provide the copy to the grand jury
27 and, if the judge determines the evidence indicates wrongdoing,

1 instruct the grand jury to thoroughly investigate the cause of
2 death.

3 SECTION 40. Sections 501.057(a) and (b), Government Code,
4 are amended to read as follows:

5 (a) The department shall establish a system to identify
6 ~~[mentally ill]~~ inmates with mental illness who are nearing
7 eligibility for release on parole.

8 (b) Not later than the 30th day before the initial parole
9 eligibility date of an inmate identified as having a mental illness
10 ~~[mentally ill]~~, an institutional division psychiatrist shall
11 examine the inmate. The psychiatrist shall file a sworn
12 application for court-ordered temporary mental health services
13 under Chapter 574, Health and Safety Code, if the psychiatrist
14 determines that the inmate has a mental illness ~~[is mentally ill]~~
15 and as a result of the illness the inmate meets at least one of the
16 criteria listed in Section 574.034 or 574.0345, Health and Safety
17 Code.

18 SECTION 41. The heading to Section 501.069, Government
19 Code, is amended to read as follows:

20 Sec. 501.069. OFFENDERS WITH INTELLECTUAL OR DEVELOPMENTAL
21 DISABILITIES ~~[DEVELOPMENTALLY DISABLED OFFENDER PROGRAM]~~.

22 SECTION 42. Section 501.092(i), Government Code, is amended
23 to read as follows:

24 (i) Not later than December ~~[September]~~ 1 of each
25 even-numbered year, the department shall deliver a report of the
26 results of evaluations conducted under Subsection (b)(7) to the
27 lieutenant governor, the speaker of the house of representatives,

1 and each standing committee of the senate and house of
2 representatives having primary jurisdiction over the department.

3 SECTION 43. Subchapter C, Chapter 501, Government Code, is
4 amended by adding Section 501.104 to read as follows:

5 Sec. 501.104. STRATEGIC PLAN FOR REHABILITATION AND REENTRY
6 PROGRAMS. (a) In this section, "parole-voted program" has the
7 meaning assigned by Section 508.1521.

8 (b) The department and the Windham School District shall
9 jointly develop a strategic plan for the provision of
10 rehabilitation and reentry programs to inmates. The strategic plan
11 must include program objectives and timelines intended to:

12 (1) increase program efficiencies, including
13 eliminating delays in placing inmates into parole-voted programs;

14 (2) reduce program redundancies;

15 (3) incorporate new evidence-based and
16 evidence-informed program approaches; and

17 (4) incorporate technology-based solutions.

18 (b-1) The strategic plan must include clear steps and
19 timelines to reduce, by September 1, 2027, overall parole-voted
20 program placement timelines by at least 50 percent compared to the
21 timelines on August 31, 2023. This subsection expires December 31,
22 2027.

23 (c) In developing the strategic plan, the department shall
24 evaluate therapeutic service contracts and obligations and
25 renegotiate the contracts and obligations as necessary to meet
26 current and projected program needs.

27 (d) The department and the Windham School District shall

1 jointly update the strategic plan at least once every five years.

2 (e) Not later than December 1 of each even-numbered year,
3 the department and the Windham School District shall submit a joint
4 report on the implementation of the strategic plan to the board, the
5 Board of Pardons and Paroles, the governor, the lieutenant
6 governor, the speaker of the house of representatives, and each
7 standing committee of the legislature with primary jurisdiction
8 over the department.

9 (f) In preparing the report under Subsection (e), the
10 department and the Windham School District shall consider the most
11 recent report prepared under Section 501.103.

12 SECTION 44. Section 501.138(c), Government Code, is amended
13 to read as follows:

14 (c) If the executive director [~~managed health care~~
15 ~~administrator~~] has knowledge that a potential ground for removal
16 exists, the executive director [~~administrator~~] shall notify the
17 presiding officer of the committee of the potential ground. The
18 presiding officer shall then notify the governor and the attorney
19 general that a potential ground for removal exists. If the
20 potential ground for removal involves the presiding officer, the
21 executive director [~~managed health care administrator~~] shall
22 notify the next highest ranking officer of the committee, who shall
23 then notify the governor and the attorney general that a potential
24 ground for removal exists.

25 SECTION 45. Section 501.140, Government Code, is amended by
26 amending Subsection (b) and adding Subsection (d) to read as
27 follows:

(b) The training program must provide the person with information regarding:

(1) the law governing committee ~~[legislation that created the committee]~~ operations;

(2) the programs, functions, rules, and budget of ~~[operated by]~~ the committee;

(3) the scope of and limitations on the rulemaking authority ~~[role and functions]~~ of the committee;

(4) ~~[the rules of the committee with an emphasis on the rules that relate to disciplinary and investigatory authority;~~

~~[(5) the current budget for the committee;~~

~~[(6)]~~ the results of the most recent formal audit of the committee;

(5) ~~[(7)]~~ the requirements of:

(A) laws relating to [the] open meetings, public information, administrative procedure, and disclosing conflicts of interest ~~[law, Chapter 551]; and~~

(B) other laws applicable to members of a state policy-making body in performing their duties ~~[the public information law, Chapter 552,~~

~~[(C) the administrative procedure law, Chapter 2001, and~~

~~[(D) other laws relating to public officials, including conflict-of-interest laws]; and~~

(6) ~~[(8)]~~ any applicable ethics policies adopted by the department ~~[committee]~~ or the Texas Ethics Commission.

(d) The executive director shall create a training manual

1 that includes the information required by Subsection (b). The
 2 executive director shall distribute a copy of the training manual
 3 annually to each member of the committee. Each member of the
 4 committee shall sign and submit to the executive director a
 5 statement acknowledging that the member received and has reviewed
 6 the training manual.

7 SECTION 46. The heading to Chapter 507, Government Code, is
 8 amended to read as follows:

9 CHAPTER 507. STATE JAIL MANAGEMENT ~~[DIVISION]~~

10 SECTION 47. Sections 507.001(a) and (b), Government Code,
 11 are amended to read as follows:

12 (a) The department ~~[state jail division]~~ may operate,
 13 maintain, and manage state jail felony facilities to confine
 14 inmates described by Section 507.002, and the department may
 15 finance and construct those facilities. The department ~~[state jail~~
 16 ~~division]~~, with the approval of the board, may contract with ~~[the~~
 17 ~~institutional division,~~] a private vendor, a community supervision
 18 and corrections department, or the commissioners court of a county
 19 for the construction, operation, maintenance, or management of a
 20 state jail felony facility. The community justice assistance
 21 division shall assist the department ~~[state jail division]~~ to
 22 contract with a community supervision and corrections department
 23 for the construction, operation, maintenance, or management of a
 24 state jail felony facility. ~~[The state jail division shall consult~~
 25 ~~with the community justice assistance division before contracting~~
 26 ~~with a community supervision and corrections department under this~~
 27 ~~section.]~~ A community supervision and corrections department or

1 the commissioners court of a county that contracts under this
2 section may subcontract with a private vendor for the provision of
3 any or all services described by this subsection. A community
4 supervision and corrections department that contracts under this
5 section may subcontract with the commissioners court of a county
6 for the provision of any or all services described by this
7 subsection. The board may contract with a private vendor or the
8 commissioners court of a county for the financing or construction
9 of a state jail felony facility.

10 (b) The department [~~community justice assistance division~~
11 ~~and the state jail division~~] shall develop and implement work
12 programs and programs of rehabilitation, education, and recreation
13 in state jail felony facilities. For each state jail felony
14 facility, the community justice assistance division and the
15 department [~~state jail division~~] shall consult with the community
16 supervision and corrections departments and the community justice
17 councils served by the facility in developing programs in that
18 facility, and shall develop the programs in a manner that makes
19 appropriate use of facilities and personnel of the community
20 supervision and corrections departments. In developing the
21 programs, the department [~~state jail division~~] and the community
22 justice assistance division shall attempt to structure programs so
23 that they are operated on a 90-day cycle, although the department
24 and the division [~~divisions~~] should deviate from a 90-day schedule
25 as necessary to meet the requirements of a particular program.

26 SECTION 48. Section 507.002, Government Code, is amended to
27 read as follows:

1 Sec. 507.002. ELIGIBLE DEFENDANTS. The department [~~state~~
2 ~~jail division~~] may confine in a state jail felony facility
3 authorized by this subchapter defendants required by a judge to
4 serve a term of confinement in a state jail felony facility
5 following a grant of deferred adjudication for or conviction of an
6 offense punishable as a state jail felony.

7 SECTION 49. Section 507.006(a), Government Code, is amended
8 to read as follows:

9 (a) Notwithstanding any other provision of this subchapter,
10 the department [~~state jail division~~], with the approval of the
11 board, may designate one or more state jail felony facilities to
12 treat inmates who are eligible for confinement in a substance abuse
13 felony punishment facility under Section 493.009 or to house
14 inmates who are sentenced to imprisonment in the institutional
15 division, but only if the designation does not deny placement in a
16 state jail felony facility of defendants required to serve terms of
17 confinement in a facility following conviction of state jail
18 felonies. The department [~~division~~] may not house in a state jail
19 felony facility an inmate who:

20 (1) has a history of or has shown a pattern of violent
21 or assaultive behavior in county jail or a facility operated by the
22 department; or

23 (2) will increase the likelihood of harm to the public
24 if housed in the facility.

25 SECTION 50. Section 507.022, Government Code, is amended to
26 read as follows:

27 Sec. 507.022. EMPLOYEES' SALARIES, ROOM AND BOARD, AND

1 MEDICAL CARE. (a) Salaries of department employees assigned to a
2 ~~[of the]~~ state jail felony facility ~~[division]~~ and the provision of
3 board, lodging, uniforms, and other provisions to employees are as
4 provided by the General Appropriations Act.

5 (b) Department employees assigned to a ~~[Employees of the]~~
6 state jail felony facility ~~[division]~~ who are injured in the line of
7 duty are entitled to receive free medical care and hospitalization
8 from institutional division doctors and the institutional division
9 hospital.

10 SECTION 51. Sections [507.023](#)(a) and (b), Government Code,
11 are amended to read as follows:

12 (a) The department ~~[state jail division]~~ shall establish
13 and provide education programs to educate department ~~[state jail~~
14 ~~division]~~ employees and defendants in state jail felony facilities
15 about AIDS and HIV in the same manner as the institutional division
16 establishes and provides programs for employees and inmates under
17 Section [501.054](#).

18 (b) The department ~~[state jail division]~~ shall adopt a
19 policy for handling a defendant with AIDS or HIV and shall test a
20 defendant for AIDS or HIV in the same manner and subject to the same
21 conditions as apply to the institutional division under Section
22 [501.054](#).

23 SECTION 52. Section [507.024](#), Government Code, is amended to
24 read as follows:

25 Sec. 507.024. TRANSPORTATION OF DEFENDANTS. The board
26 shall adopt rules to provide for the safe transfer of defendants
27 from counties to state jail felony facilities. A sheriff may

1 transport defendants to a state jail felony facility if the sheriff
2 is able to perform the service as economically as if the service
3 were performed by the department [~~division~~]. The department [~~state~~
4 ~~jail division~~] is responsible for the cost of transportation of
5 defendants to a state jail felony facility [~~the division~~].
6 Defendants may be transported with other persons being transported
7 to the custody of the department provided appropriate security
8 precautions prescribed by policies of the department are taken.

9 SECTION 53. Section 507.025, Government Code, is amended to
10 read as follows:

11 Sec. 507.025. MEDICAL CARE. The department [~~state jail~~
12 ~~division~~], with the approval of the board, may contract with [~~the~~
13 ~~institutional division,~~] a private vendor[~~7~~] or any public health
14 care provider for the provision of medical services to defendants
15 in state jail felony facilities.

16 SECTION 54. Section 507.029, Government Code, is amended to
17 read as follows:

18 Sec. 507.029. USE OF INMATE LABOR. The department may use
19 the labor of inmates of the institutional division in any work or
20 community service program or project performed by a [~~the~~] state
21 jail felony facility [~~division~~].

22 SECTION 55. Sections 507.030(a-1) and (b), Government Code,
23 are amended to read as follows:

24 (a-1) The department [~~state jail division~~] shall allow the
25 governor, members of the legislature, and officials of the
26 executive and judicial branches to enter during business hours any
27 part of a state jail felony facility operated by the department

1 ~~[division]~~, for the purpose of observing the operations of the
2 department ~~[division]~~. A visitor described by this subsection may
3 talk with defendants away from ~~[division]~~ employees of the state
4 jail felony facility.

5 (b) The department ~~[state jail division]~~ shall establish a
6 visitation policy for persons confined in state jail felony
7 facilities. The visitation policy must:

8 (1) allow visitation by a guardian of a defendant
9 confined in a state jail felony facility to the same extent as the
10 defendant's next of kin, including placing the guardian on the
11 defendant's approved visitors list on the guardian's request and
12 providing the guardian access to the defendant during a facility's
13 standard visitation hours if the defendant is otherwise eligible to
14 receive visitors; and

15 (2) require the guardian to provide the director of
16 the facility with letters of guardianship before being allowed to
17 visit the defendant.

18 SECTION 56. Section 507.031, Government Code, is amended to
19 read as follows:

20 Sec. 507.031. FURLOUGH PROGRAM. (a) The director of a
21 state jail felony facility may grant a furlough to a defendant so
22 that the defendant may:

23 (1) obtain a medical diagnosis or medical treatment;
24 (2) obtain treatment and supervision at a facility
25 operated by the Health and Human Services Commission;
26 (3) attend a funeral or visit a critically ill
27 relative; or

1 (4) participate in a programmatic activity sanctioned
2 by the department [~~state jail division~~].

3 (b) The department [~~state jail division~~] shall adopt
4 policies for the administration of the furlough program.

5 (c) A defendant furloughed under this section is considered
6 to be in the custody of the department [~~state jail division~~], even
7 if the defendant is not under physical guard while furloughed.

8 SECTION 57. Section 507.033, Government Code, is amended to
9 read as follows:

10 Sec. 507.033. REHABILITATION PROGRAMS. (a) The department
11 [~~state jail division~~] may allow a state jail defendant who is
12 capable of serving as a tutor to tutor functionally illiterate
13 defendants and shall actively encourage volunteer organizations to
14 aid in the tutoring of defendants. A person who acts as a tutor may
15 function only as a teacher and advisor to a defendant and may not
16 exercise supervisory authority or control over the defendant.

17 (b) The department [~~state jail division~~] shall actively
18 encourage volunteer organizations to provide the following
19 programs for defendants who are housed in state jail felony
20 facilities operated by or under contract with the department
21 [~~division~~]:

- 22 (1) literacy and education programs;
- 23 (2) life skills programs;
- 24 (3) job skills programs;
- 25 (4) parent-training programs;
- 26 (5) drug and alcohol rehabilitation programs;
- 27 (6) support group programs;

(7) arts and crafts programs; and

(8) other programs determined by the department ~~[division]~~ to aid defendants confined in state jail felony facilities in the transition from confinement or supervision back into society and to reduce incidents of recidivism among defendants.

SECTION 58. Section 508.0362, Government Code, is amended by amending Subsections (a) and (b) and adding Subsection (d) to read as follows:

(a) ~~[(1)]~~ A person who is appointed to and qualifies for office as a member of the board may not vote, deliberate, or be counted as a member in attendance at a meeting of the board until the person completes ~~[at least one course of]~~ a training program that complies with this section.

~~[(2)]~~ A parole commissioner employed by the board may not vote or deliberate on a matter described by Section 508.0441 until the person completes ~~[at least one course of]~~ a training program that complies with this section.

(b) The ~~[A]~~ training program must provide the person with information ~~[to the person]~~ regarding:

(1) the law governing board operations ~~[enabling legislation that created the board]~~;

(2) the programs, functions, rules, and budget of ~~[operated by]~~ the board;

(3) the scope of and limitations on the rulemaking authority ~~[role and functions]~~ of the board ~~[and parole commissioners]~~;

1 (4) ~~[the rules of the board,~~
2 ~~[(5) the current budget for the board,~~
3 ~~[(6)]~~ the results of the most recent formal audit of
4 the board;

5 (5) [(7)] the requirements of [the]:

6 (A) laws relating to open meetings, public
7 information, administrative procedure, and disclosing conflicts of
8 interest ~~[law, Chapter 551]; and~~

9 (B) other laws applicable to members of a state
10 policy-making body in performing their duties ~~[open records law,~~
11 ~~Chapter 552; and~~

12 ~~[(C) administrative procedure law, Chapter 2001,~~
13 ~~[(8) the requirements of the conflict of interest laws~~
14 ~~and other laws relating to public officials]; and~~

15 (6) [(9)] any applicable ethics policies adopted by
16 the board or the Texas Ethics Commission.

17 (d) The board administrator shall create a training manual
18 that includes the information required by Subsection (b). The
19 board administrator shall distribute a copy of the training manual
20 annually to each board member and parole commissioner. Each board
21 member and parole commissioner shall sign and submit to the board
22 administrator a statement acknowledging that the person received
23 and has reviewed the training manual.

24 SECTION 59. Subchapter B, Chapter 508, Government Code, is
25 amended by adding Sections 508.0421 and 508.0455 to read as
26 follows:

27 Sec. 508.0421. TRAINING PROGRAM ON MEDICALLY RECOMMENDED

1 INTENSIVE SUPERVISION. (a) The board shall develop and provide a
2 comprehensive training program on the release of inmates on
3 medically recommended intensive supervision under Section 508.146
4 for board members and parole commissioners serving on a parole
5 panel under that section. The program must include:

6 (1) background information on medically recommended
7 intensive supervision; and

8 (2) training and education regarding:

9 (A) statutory requirements and board rules for
10 the consideration and release of inmates on medically recommended
11 intensive supervision;

12 (B) the supervision of persons released on
13 medically recommended intensive supervision, including information
14 on:

15 (i) the imposition of graduated sanctions
16 on a releasee for a violation of a condition of release; and

17 (ii) the imposition and modification of
18 special conditions on a releasee; and

19 (C) the medical conditions affecting inmates who
20 are eligible for medically recommended intensive supervision,
21 including treatments for those conditions.

22 (b) In developing the training program, the board shall:

23 (1) use available data on medically recommended
24 intensive supervision; and

25 (2) consult with the division and a practicing
26 physician and psychiatrist as needed.

27 (c) The board shall develop a condensed version of the

1 training program that includes only the training and education
2 described by Subsection (a)(2).

3 (d) A member of a parole panel described by Section
4 508.146(e) may not participate in a vote of the panel related to the
5 release of an inmate on medically recommended intensive supervision
6 until the member completes the training program described by
7 Subsection (a). Each member must complete the version of the
8 training program described by Subsection (c) biennially after
9 completing the initial training to remain eligible to participate
10 in a vote of the panel related to the release of an inmate on
11 medically recommended intensive supervision. The board shall
12 inform each member of any subsequent changes to the training
13 developed under Subsection (a) that are made after the member
14 completes the training required by this subsection.

15 Sec. 508.0455. PAROLE PANEL DATA. (a) The board shall
16 coordinate with the department to collect and analyze data on the
17 release of inmates on parole, mandatory supervision, or medically
18 recommended intensive supervision and the use of special conditions
19 and graduated sanctions to evaluate outcomes and trends.

20 (b) Using the data collected under Subsection (a), the board
21 shall determine a method for evaluating the consistency of
22 revocation decisions across all three-voter parole panels.

23 (c) The board shall use its findings from the data collected
24 under this section in developing the training required under
25 Sections 508.041 and 508.042.

26 SECTION 60. Section 508.054(c), Government Code, is amended
27 to read as follows:

1 (c) The board shall periodically notify the complaint
2 parties of the status of the complaint until final disposition
3 unless the notice would jeopardize an ongoing investigation.

4 SECTION 61. Section 508.113, Government Code, is amended by
5 adding Subsection (e) to read as follows:

6 (e) The division may establish a waiver procedure for when
7 the director is unable to appoint persons meeting the requirements
8 established under Subsection (c).

9 SECTION 62. Section 508.1131, Government Code, is amended
10 by amending Subsection (a) and adding Subsection (a-1) to read as
11 follows:

12 (a) The Texas Board of Criminal Justice by rule ~~[executive~~
13 ~~director]~~ shall adopt a salary career ladder for parole officers.
14 In adopting the salary career ladder, the Texas Board of Criminal
15 Justice shall, in consultation with relevant stakeholders, review
16 the current salary structure and align the salary career ladder
17 with the future needs of the department.

18 (a-1) The Texas Board of Criminal Justice may revise the
19 [The] salary career ladder as needed ~~[must base a parole officer's~~
20 ~~salary on the officer's classification and years of service with~~
21 ~~the department].~~

22 SECTION 63. Section 508.1142, Government Code, is amended
23 to read as follows:

24 Sec. 508.1142. PAROLE OFFICER MAXIMUM CASELOADS. (a) The
25 Texas Board of Criminal Justice by rule ~~[department]~~ shall
26 establish ~~[adopt a policy that establishes]~~ guidelines for a
27 maximum caseload for a ~~[each]~~ parole officer ~~[of-~~

1 ~~[(1) 60 active releasees, if the releasees are not in a~~
2 ~~specialized program described by Subdivisions (2)-(6),~~

3 ~~[(2) 35 active releasees, if the releasees are in the~~
4 ~~special needs offender program,~~

5 ~~[(3) 35 active releasees, if the releasees are in the~~
6 ~~therapeutic community substance abuse aftercare treatment program,~~

7 ~~[(4) 24 active releasees, if the releasees are in the~~
8 ~~sex offender program,~~

9 ~~[(5) 20 active releasees, if the releasees are~~
10 ~~electronically monitored; and~~

11 ~~[(6) 11 active releasees, if the releasees are in the~~
12 ~~super-intensive supervision program].~~

13 (b) The Texas Board of Criminal Justice:

14 (1) shall periodically review the guidelines
15 established under Subsection (a) to ensure that the guidelines are
16 achievable and informed by research-supported supervision
17 practices; and

18 (2) may revise the guidelines as needed.

19 (c) The department shall conduct a job task analysis and
20 workload study with respect to parole officers before the Texas
21 Board of Criminal Justice adopts or amends the guidelines under
22 this section ~~[If the department is unable to meet the maximum~~
23 ~~caseload guidelines, the department shall submit a report to the~~
24 ~~Legislative Budget Board, at the end of each fiscal year in which~~
25 ~~the department fails to meet the guidelines, stating the amount of~~
26 ~~money needed by the department to meet the guidelines].~~

27 SECTION 64. Subchapter D, Chapter 508, Government Code, is

amended by adding Section 508.1143 to read as follows:

Sec. 508.1143. REPORT ON PAROLE SUPERVISION APPROACHES AND
MAXIMUM CASELOADS. (a) Not later than September 1, 2026, the
department, in consultation with relevant stakeholders, shall:

(1) review current parole supervision practices and
caseload approaches; and

(2) submit a report on proposed parole supervision
practices and caseload approaches, including proposed maximum
caseloads for parole officers, to the Texas Board of Criminal
Justice, the board, the governor, the lieutenant governor, the
speaker of the house of representatives, and each standing
committee of the legislature with primary jurisdiction over the
department.

(b) The report must include:

(1) an evaluation of the current caseload identified
as not being actively worked on by a parole officer, considering the
assessed parole officer staffing needs; and

(2) the results of any department pilot project
assessing changes to parole officer supervision practices and
caseload approaches.

(c) A pilot project assessing supervision practices and
caseload approach changes described by Subsection (b)(2) may not be
implemented statewide before submission of the report required by
Subsection (a)(2).

(d) This section expires September 1, 2027.

SECTION 65. Section 508.146, Government Code, is amended by
amending Subsections (a), (b), (d), (e), and (f) and adding

Subsections (a-1), (g), (h), (i), and (j) to read as follows:

(a) Subject to Subsection (b), an [An] inmate, other than an inmate who is serving a sentence of death or life without parole or an inmate who is not a citizen of the United States, as defined by federal law, may be released on medically recommended intensive supervision on a date designated by a parole panel described by Subsection (e) ~~[, except that an inmate with an instant offense that is an offense described in Article 42A.054, Code of Criminal Procedure, or an inmate who has a reportable conviction or adjudication under Chapter 62, Code of Criminal Procedure, may only be considered if a medical condition of terminal illness or long-term care has been diagnosed by a physician,~~ if:

(1) the Texas Correctional Office on Offenders with Medical or Mental Impairments, in cooperation with the Correctional Managed Health Care Committee, identifies the inmate as ~~[being]~~:

(A) being [a person who is] elderly, regardless of whether the inmate has a condition described in Paragraphs (B)-(H);

(B) being [or] terminally ill;

(C) having[₇] a [person with] mental illness;

(D) having[₇] an intellectual disability[₇] or a physical disability;

(E) having[₇ or a person who has] a condition requiring long-term care[₇ if the inmate is an inmate with an instant offense that is described in Article 42A.054, Code of Criminal Procedure]; [or]

(F) being [~~(B)~~] in a persistent vegetative state;

1 ~~[or]~~

2 (G) having ~~[being a person with]~~ an organic brain
3 syndrome with significant to total mobility impairment; or

4 (H) having another eligible medical condition as
5 prescribed by board rule ~~[, if the inmate is an inmate who has a~~
6 ~~reportable conviction or adjudication under Chapter 62, Code of~~
7 ~~Criminal Procedure]~~;

8 (2) the parole panel determines that, based on the
9 inmate's condition and a medical evaluation, the inmate does not
10 constitute a threat to public safety; and

11 (3) the inmate's medically recommended intensive
12 supervision plan under Subsection (a-1) is approved by the Texas
13 Correctional Office on Offenders with Medical or Mental
14 Impairments.

15 (a-1) The ~~[the]~~ Texas Correctional Office on Offenders with
16 Medical or Mental Impairments, in cooperation with the ~~[pardons and~~
17 ~~paroles]~~ division, shall prepare ~~[has prepared]~~ for an ~~[the]~~ inmate
18 who is eligible for release under Subsection (a) a medically
19 recommended intensive supervision plan that requires the inmate to
20 submit to electronic monitoring, places the inmate on
21 super-intensive supervision, or otherwise ensures appropriate
22 supervision of the inmate.

23 (b) In addition to the requirements of Subsection (a), the
24 following inmates may be released on medically recommended
25 intensive supervision under that subsection only if the inmates are
26 identified under Subsection (a)(1) as:

27 (1) having a condition described by Subsection

(a)(1)(B) or (E), if the inmate has an instant offense that is described in Article [42A.054](#), Code of Criminal Procedure; or

(2) being in or having a condition described by Subsection (a)(1)(F) or (G), if the inmate has a reportable conviction or adjudication under Chapter [62](#), Code of Criminal Procedure ~~[An inmate may be released on medically recommended intensive supervision only if the inmate's medically recommended intensive supervision plan under Subsection (a)(3) is approved by the Texas Correctional Office on Offenders with Medical or Mental Impairments]~~.

(d) The Texas Correctional Office on Offenders with Medical or Mental Impairments may ~~[and the Texas Department of Human Services shall jointly]~~ request proposals from public or private vendors to provide under contract services for inmates released on medically recommended intensive supervision. A request for proposals under this subsection may require that the services be provided in a medical care facility located in an urban area. For the purposes of this subsection, "urban area" means the area in this state within a metropolitan statistical area, according to the standards of the United States Bureau of the Census.

(e) Parole ~~[Only parole]~~ panels composed of board members and parole commissioners ~~[the presiding officer of the board and two members]~~ appointed to the panel by the presiding officer may make determinations regarding the release of inmates on medically recommended intensive supervision under Subsection (a) or of inmates released pending deportation under Subsection (f). If the Texas Correctional Office ~~[Council]~~ on Offenders with Medical or

Mental Impairments identifies an inmate as a candidate for release under the guidelines established by Subsection (a)(1), (b), or (f)(1), as applicable, the office [~~council~~] shall present to a parole panel described by this subsection relevant information concerning the inmate and the inmate's potential for release under this section.

(f) An inmate who is not a citizen of the United States, as defined by federal law, who is not under a sentence of death or life without parole, and who does not have a reportable conviction or adjudication under Chapter 62, Code of Criminal Procedure, or an instant offense described in Article 42A.054, Code of Criminal Procedure, may be released to immigration authorities pending deportation on a date designated by a parole panel described by Subsection (e) if:

(1) the Texas Correctional Office on Offenders with Medical or Mental Impairments, in cooperation with the Correctional Managed Health Care Committee, identifies the inmate as being in or having a condition described by Subsection (a)(1); and

(2) the parole panel determines that on release the inmate would be deported to another country and that the inmate does not constitute a threat to public safety in the other country or this country and is unlikely to reenter this country illegally.

(g) The board shall adopt rules to administer this section. The rules must:

(1) specify the procedures for evaluating the prognosis of inmates who are eligible for medically recommended intensive supervision under Subsection (a) because of a qualifying

1 medical condition;

2 (2) specify the factors, other than an inmate's
3 condition, that are relevant or statutorily required to release an
4 inmate on medically recommended intensive supervision; and

5 (3) define what constitutes a threat to public safety
6 for purposes of Subsections (a)(2) and (f) and specify the factors
7 that a parole panel described by Subsection (e) must consider when
8 determining whether an inmate constitutes a threat to public
9 safety.

10 (h) The procedures described by Subsection (g)(1) must:

11 (1) require a review of the inmate's condition by at
12 least one health care practitioner; and

13 (2) require each health care practitioner who reviews
14 an inmate's condition as described by Subdivision (1) to provide
15 the parole panel described by Subsection (e), before the panel
16 makes a final determination under this section, a written report on
17 the inmate's condition that:

18 (A) is in plain language that is understandable
19 by a nonmedical professional;

20 (B) specifically describes how the inmate's
21 condition and treatment for the condition will affect the inmate's
22 cognitive and physical abilities and limitations; and

23 (C) contains other information as required by the
24 board.

25 (i) The board may consult with other relevant entities for
26 purposes of establishing information required in the report under
27 Subsection (h)(2)(C) including:

1 (1) the Correctional Managed Health Care Committee;
2 (2) the division;
3 (3) the Texas Correctional Office on Offenders with
4 Medical or Mental Impairments;
5 (4) the Texas Tech University Health Sciences Center;
6 and
7 (5) The University of Texas Medical Branch at
8 Galveston.

9 (j) Information regarding the identity of a health care
10 practitioner providing a report described by Subsection (h)(2),
11 other than information relating to the practitioner's
12 specialization, is excepted from required disclosure under Chapter
13 552. The board may release the information or redact or otherwise
14 withhold the information from disclosure under Chapter 552.

15 SECTION 66. Section 508.152, Government Code, is amended by
16 adding Subsection (b-3) to read as follows:

17 (b-3) For purposes of Subsection (b-1)(1), an inmate's
18 individual treatment plan must include a comprehensive list, in
19 plain language, of the inmate's program participation that:

20 (1) includes:
21 (A) state-funded programs;
22 (B) intensive volunteer programs; and
23 (C) program enrollment and completion dates; and
24 (2) distinguishes between required evidence-based
25 programs and correctional elective programs and activities that are
26 non-evidence based or non-evidence informed.

27 SECTION 67. Subchapter E, Chapter 508, Government Code, is

amended by adding Sections 508.1521 and 508.158 to read as follows:

Sec. 508.1521. REQUIRED INDIVIDUAL TREATMENT PLAN PROGRAMS AND PAROLE-VOTED PROGRAMS. (a) In this section:

(1) "Parole-voted program" means a program or class that the board intends to require an inmate to complete before releasing the inmate on parole or to mandatory supervision.

(2) "Required individual treatment plan program" means a program or class that is required to be included in an inmate's individual treatment plan under Section 508.152 other than a parole-voted program.

(b) The department, the board, and the Windham School District shall:

(1) develop evidence-based program criteria specific to required individual treatment plan programs and parole-voted programs to be used in evaluating and assessing those programs;

(2) develop and maintain a required individual treatment plan programs list and a parole-voted programs list, provided that a non-evidence-based or non-evidence-informed program may not be included on either list;

(3) develop procedures for:

(A) evaluating programs to be added to the required individual treatment plan programs list or the parole-voted programs list;

(B) assessing current required individual treatment plan programs and parole-voted programs; and

(C) removing programs that do not meet the criteria developed under Subdivision (1) from the lists of required

1 individual treatment plan programs and parole-voted programs; and
2 (4) coordinate on required individual treatment plan
3 and parole-voted programming options through regular meetings.

4 (c) In developing and maintaining the required individual
5 treatment plan programs list, the department and the Windham School
6 District have joint authority to decide which programs are included
7 on the required individual treatment plan list.

8 (d) In developing and maintaining the parole-voted programs
9 list, the department and the Windham School District shall present
10 programming options and program evaluation results to the board,
11 provided that the board has the sole authority to decide which
12 programs are included on the parole-voted programs list.

13 (e) The department shall:

14 (1) collect and analyze parole-voted program data on a
15 rolling basis, including:

16 (A) the number of inmates waiting for placement
17 into a program;

18 (B) the waitlist times for placement into a
19 program;

20 (C) the reasons for program placement delays,
21 other than delays due to a program start date specified by the
22 board;

23 (D) vote revision requests related to program
24 ineligibility, placement delays, and other factors that may affect
25 parole release timelines; and

26 (E) the number of inmates unable to complete
27 parole-voted programs before the earliest date on which the inmates

1 would have been eligible to be released following program
2 completion;

3 (2) use the data described by Subdivision (1) to:

4 (A) calculate parole-voted program waitlist
5 times;

6 (B) track and reduce parole-voted program
7 enrollment timelines; and

8 (C) work to eliminate parole-voted program
9 placement delays; and

10 (3) include the data and analysis described by
11 Subdivision (1) in the strategic plan required under Section
12 501.104.

13 (f) The department shall prioritize the placement of
14 inmates into parole-voted programs, ensure parole-voted program
15 capacity meets programming needs, and expand parole-voted program
16 access in accordance with the strategic plan required under Section
17 501.104.

18 Sec. 508.158. SPECIAL CONDITIONS WORK GROUP. (a) The board
19 and department shall jointly establish a work group consisting of
20 board members and parole commissioners who actively serve on a
21 parole panel and staff representatives from the division to assess
22 the impact and effectiveness of special conditions.

23 (b) The work group shall:

24 (1) discuss the efficacy of special conditions;

25 (2) assess the continuing need for the use of specific
26 special conditions; and

27 (3) identify potential modifications to special

conditions for the board to consider adopting.

(c) In discussing the efficacy of special conditions under Subsection (b), the work group shall solicit input from parole officers and other relevant parties.

(d) The work group shall meet annually.

SECTION 68. Subchapter F, Chapter 508, Government Code, is amended by adding Section 508.1831 to read as follows:

Sec. 508.1831. POSTSECONDARY EDUCATION REIMBURSEMENT. (a) A parole panel shall require as a condition of parole or mandatory supervision that a releasee who had the cost of tuition and fees paid through a postsecondary education reimbursement program for enrollment in courses during the releasee's confinement in the department reimburse the department for those costs.

(b) The department may not charge interest for repayment of costs under this section.

(c) In a parole or mandatory supervision revocation hearing under Section 508.281 at which it is alleged only that the releasee failed to make a payment under this section, it is an affirmative defense to revocation that the releasee is unable to pay the amount required by the department. The releasee must prove the affirmative defense by a preponderance of the evidence.

SECTION 69. Section 511.017, Government Code, is amended to read as follows:

Sec. 511.017. DUTIES RELATED TO STATE JAIL FELONY FACILITIES. (a) In this section, "state[+]

~~[(1) "State jail division" means the state jail division of the Texas Department of Criminal Justice.]~~

1 ~~[(2)]~~ "State] jail felony facility" means a state jail
2 felony facility authorized by Subchapter A, Chapter 507.

3 (b) The commission shall provide the Texas Department of
4 Criminal Justice ~~[state jail division]~~ with consultation and
5 technical assistance relating to the operation and construction of
6 state jail felony facilities.

7 SECTION 70. Section 659.015(k), Government Code, is amended
8 to read as follows:

9 (k) Compensatory time off to which an employee of the Texas
10 Department of Criminal Justice is entitled under Subsection (f):

11 (1) must be taken during the 24-month period following
12 the end of the workweek in which the compensatory time was accrued;
13 and

14 (2) if not taken during the period described by
15 Subdivision (1), shall be credited to the employee's accumulated
16 vacation leave for purposes of Chapter 661 ~~[or it lapses]~~.

17 SECTION 71. Section 661.152(b), Government Code, is amended
18 to read as follows:

19 (b) The amount of vacation accrues in accordance with this
20 subchapter and Section 659.015(k) and may be taken in accordance
21 with this subchapter.

22 SECTION 72. Sections 614.002(a) and (e), Health and Safety
23 Code, are amended to read as follows:

24 (a) The Advisory Committee to the Texas Board of Criminal
25 Justice on Offenders with Medical or Mental Impairments is composed
26 of 27 ~~[28]~~ members.

27 (e) The executive head of each of the following agencies,

divisions of agencies, or associations, or that person's designated representative, shall serve as a member of the committee:

(1) the correctional institutions division of the Texas Department of Criminal Justice;

(2) the Department of State Health Services;

(3) the parole division of the Texas Department of Criminal Justice;

(4) the community justice assistance division of the Texas Department of Criminal Justice;

(5) the Texas Juvenile Justice Department;

(6) the Texas Workforce Commission [~~Department of Assistive and Rehabilitative Services~~];

(7) the Correctional Managed Health Care Committee;

(8) Mental Health America of Texas;

(9) the Board of Pardons and Paroles;

(10) the Texas Commission on Law Enforcement;

(11) the Texas Council of Community Centers;

(12) the Commission on Jail Standards;

(13) the Texas Council for Developmental Disabilities;

(14) the Arc of Texas;

(15) the National Alliance on Mental Illness of Texas;

(16) the Texas Veterans Commission [~~Parent Association for the Retarded of Texas, Inc.~~]; and

(17) the Health and Human Services Commission[~~and~~

~~(18) the Department of Aging and Disability Services~~].

SECTION 73. Section 614.009, Health and Safety Code, is amended to read as follows:

Sec. 614.009. BIENNIAL REPORT. Not later than December ~~[February]~~ 1 of each even-numbered ~~[odd-numbered]~~ year, the office shall present to the board and file with the governor, lieutenant governor, and speaker of the house of representatives a report giving the details of the office's activities during the preceding biennium. The report must include:

(1) an evaluation of any demonstration project undertaken by the office;

(2) an evaluation of the progress made by the office toward developing a plan for meeting the treatment, rehabilitative, and educational needs of offenders with special needs;

(3) information on the provision of services under Section 614.021 to wrongfully imprisoned persons;

(4) recommendations of the office made in accordance with Section 614.007(5);

(5) [~~(4)~~] an evaluation of the development and implementation of the continuity of care and service programs established under Sections 614.013, 614.014, 614.015, 614.016, and 614.018, changes in rules, policies, or procedures relating to the programs, future plans for the programs, and any recommendations for legislation; and

(6) [~~(5)~~] any other recommendations that the office considers appropriate.

SECTION 74. Section 614.013(b), Health and Safety Code, is amended to read as follows:

(b) The memorandum of understanding must establish methods for:

(1) identifying offenders with mental impairments in the criminal justice system and collecting and reporting prevalence rate data to the office;

(2) developing interagency rules, policies, procedures, and standards for the coordination of care of and the exchange of information on offenders with mental impairments by local and state criminal justice agencies, the Department of State Health Services and the Health and Human Services Commission [~~Department of Aging and Disability Services~~], local mental health or intellectual and developmental disability authorities, the Commission on Jail Standards, and local jails;

(3) identifying the services needed by offenders with mental impairments to reenter the community successfully; and

(4) establishing a process to report implementation activities to the office.

SECTION 75. Section 614.014, Health and Safety Code, is amended to read as follows:

Sec. 614.014. CONTINUITY OF CARE FOR ELDERLY OFFENDERS.

(a) The Texas Department of Criminal Justice, the Texas Workforce Commission, and the executive commissioner by rule shall adopt a memorandum of understanding that establishes the respective responsibilities of the Texas Department of Criminal Justice, the Department of State Health Services, the Health and Human Services Commission [~~Department of Aging and Disability Services~~], and the Texas Workforce Commission [~~Department of Assistive and~~

1 ~~Rehabilitative Services~~] to institute a continuity of care and
2 service program for elderly offenders in the criminal justice
3 system. The office shall coordinate and monitor the development
4 and implementation of the memorandum of understanding.

5 (b) The memorandum of understanding must establish methods
6 for:

7 (1) identifying elderly offenders in the criminal
8 justice system;

9 (2) developing interagency rules, policies, and
10 procedures for the coordination of care of and the exchange of
11 information on elderly offenders by local and state criminal
12 justice agencies, the Department of State Health Services, the
13 Health and Human Services Commission [~~Department of Aging and~~
14 ~~Disability Services~~], and the Texas Workforce Commission
15 [~~Department of Assistive and Rehabilitative Services~~]; and

16 (3) identifying the services needed by elderly
17 offenders to reenter the community successfully.

18 (c) The Texas Department of Criminal Justice, the
19 Department of State Health Services, the Health and Human Services
20 Commission [~~Department of Aging and Disability Services~~], and the
21 Texas Workforce Commission [~~Department of Assistive and~~
22 ~~Rehabilitative Services~~] shall:

23 (1) operate the continuity of care and service program
24 for elderly offenders in the criminal justice system with funds
25 appropriated for that purpose; and

26 (2) actively seek federal grants or funds to operate
27 and expand the program.

SECTION 76. Section 614.015, Health and Safety Code, is amended to read as follows:

Sec. 614.015. CONTINUITY OF CARE FOR OFFENDERS WITH PHYSICAL DISABILITIES, TERMINAL ILLNESSES, OR SIGNIFICANT ILLNESSES. (a) The Texas Department of Criminal Justice, the Texas Workforce Commission, and the executive commissioner by rule shall adopt a memorandum of understanding that establishes the respective responsibilities of the Texas Department of Criminal Justice, the Texas Workforce Commission [~~Department of Assistive and Rehabilitative Services~~], the Department of State Health Services, and the Health and Human Services Commission [~~Department of Aging and Disability Services~~] to institute a continuity of care and service program for offenders in the criminal justice system who are persons with physical disabilities, terminal illnesses, or significant illnesses. The council shall coordinate and monitor the development and implementation of the memorandum of understanding.

(b) The memorandum of understanding must establish methods for:

(1) identifying offenders in the criminal justice system who are persons with physical disabilities, terminal illnesses, or significant illnesses;

(2) developing interagency rules, policies, and procedures for the coordination of care of and the exchange of information on offenders who are persons with physical disabilities, terminal illnesses, or significant illnesses by local and state criminal justice agencies, the Texas Department of

1 Criminal Justice, the Texas Workforce Commission [~~Department of~~
2 ~~Assistive and Rehabilitative Services~~], the Department of State
3 Health Services, and the Health and Human Services Commission
4 [~~Department of Aging and Disability Services~~]; and

5 (3) identifying the services needed by offenders who
6 are persons with physical disabilities, terminal illnesses, or
7 significant illnesses to reenter the community successfully.

8 (c) The Texas Department of Criminal Justice, the Texas
9 Workforce Commission [~~Department of Assistive and Rehabilitative~~
10 ~~Services~~], the Department of State Health Services, and the Health
11 and Human Services Commission [~~Department of Aging and Disability~~
12 ~~Services~~] shall:

13 (1) operate, with funds appropriated for that purpose,
14 the continuity of care and service program for offenders in the
15 criminal justice system who are persons with physical disabilities,
16 terminal illnesses, or significant illnesses; and

17 (2) actively seek federal grants or funds to operate
18 and expand the program.

19 SECTION 77. Section 614.017(c)(1), Health and Safety Code,
20 is amended to read as follows:

21 (1) "Agency" includes any of the following entities
22 and individuals, a person with an agency relationship with one of
23 the following entities or individuals, and a person who contracts
24 with one or more of the following entities or individuals:

25 (A) the Texas Department of Criminal Justice and
26 the Correctional Managed Health Care Committee;

27 (B) the Board of Pardons and Paroles;

1 (C) the Department of State Health Services;
2 (D) the Texas Juvenile Justice Department;
3 (E) the Texas Workforce Commission [~~Department~~
4 ~~of Assistive and Rehabilitative Services~~];
5 (F) the Texas Education Agency;
6 (G) the Commission on Jail Standards;
7 (H) [~~the Department of Aging and Disability~~
8 ~~Services~~];
9 [~~(I)~~] the Texas School for the Blind and Visually
10 Impaired;
11 (I) [~~(J)~~] community supervision and corrections
12 departments and local juvenile probation departments;
13 (J) [~~(K)~~] personal bond pretrial release offices
14 established under Article [17.42](#), Code of Criminal Procedure;
15 (K) [~~(L)~~] local jails regulated by the
16 Commission on Jail Standards;
17 (L) [~~(M)~~] a municipal or county health
18 department;
19 (M) [~~(N)~~] a hospital district;
20 (N) [~~(O)~~] a judge of this state with jurisdiction
21 over juvenile or criminal cases;
22 (O) [~~(P)~~] an attorney who is appointed or
23 retained to represent a special needs offender or a juvenile with a
24 mental impairment;
25 (P) [~~(Q)~~] the Health and Human Services
26 Commission;
27 (Q) [~~(R)~~] the Department of Information

Resources;

(R) [~~(S)~~] the bureau of identification and records of the Department of Public Safety, for the sole purpose of providing real-time, contemporaneous identification of individuals in the Department of State Health Services client data base; and

(S) [~~(T)~~] the Department of Family and Protective Services.

SECTION 78. Sections 614.018(a) and (b), Health and Safety Code, are amended to read as follows:

(a) The Texas Juvenile Justice Department, the Department of Public Safety, the Department of State Health Services, the Health and Human Services Commission [~~Department of Aging and Disability Services~~], the Department of Family and Protective Services, the Texas Education Agency, and local juvenile probation departments shall adopt a memorandum of understanding that establishes their respective responsibilities to institute a continuity of care and service program for juveniles with mental impairments in the juvenile justice system. The Texas Correctional Office on Offenders with Medical and Mental Impairments shall coordinate and monitor the development and implementation of the memorandum of understanding.

(b) The memorandum of understanding must establish methods for:

(1) identifying juveniles with mental impairments in the juvenile justice system and collecting and reporting relevant data to the office;

(2) developing interagency rules, policies, and

1 procedures for the coordination of care of and the exchange of
 2 information on juveniles with mental impairments who are committed
 3 to or treated, served, or supervised by the Texas Juvenile Justice
 4 Department, the Department of Public Safety, the Department of
 5 State Health Services, the Department of Family and Protective
 6 Services, the Health and Human Services Commission [~~Department of~~
 7 ~~Aging and Disability Services~~], the Texas Education Agency, local
 8 juvenile probation departments, local mental health or
 9 intellectual and developmental disability authorities, and
 10 independent school districts; and

11 (3) identifying the services needed by juveniles with
 12 mental impairments in the juvenile justice system.

13 SECTION 79. Section 841.005, Health and Safety Code, is
 14 amended to read as follows:

15 Sec. 841.005. TEXAS BOARD OF CRIMINAL JUSTICE [~~OFFICE OF~~
 16 ~~STATE COUNSEL FOR OFFENDERS~~]. (a) In this section, "board" means
 17 the Texas Board of Criminal Justice.

18 (b) Except as provided by Subsection (d) [~~(b)~~], the board
 19 [~~Office of State Counsel for Offenders~~] shall provide
 20 representation for [~~represent~~] an indigent person subject to a
 21 civil commitment proceeding under this chapter.

22 (c) In providing representation for indigent persons
 23 described by Subsection (b):

24 (1) the board may employ attorneys, support staff, and
 25 any other personnel required to provide the representation;

26 (2) personnel employed under Subdivision (1) are
 27 directly responsible to the board in the performance of their

1 duties; and

2 (3) the board shall pay all fees and costs associated
3 with providing the representation.

4 (d) [(b)] If for any reason the board [~~Office of State~~
5 ~~Counsel for Offenders~~] is unable to provide representation for
6 ~~[represent]~~ an indigent person described by Subsection (b) [~~(a)~~] at
7 a civil commitment proceeding under this chapter, the court shall
8 appoint other counsel to represent the indigent person.

9 SECTION 80. Section 306.007(b), Labor Code, is amended to
10 read as follows:

11 (b) The commission shall adopt a memorandum of
12 understanding with each of the following agencies that establishes
13 the respective responsibilities of the commission and the agencies
14 in providing information described by Subsection (a) to persons
15 formerly sentenced to the custody [~~institutional division or the~~
16 ~~state jail division~~] of the Texas Department of Criminal Justice,
17 to employers or potential employers of those persons, and to local
18 workforce development boards:

- 19 (1) the Department of State Health Services;
20 (2) the Texas Department of Housing and Community
21 Affairs;
22 (3) the Texas Veterans Commission; and
23 (4) the Health and Human Services Commission.

24 SECTION 81. The following provisions are repealed:

- 25 (1) Article 66.352(b), Code of Criminal Procedure;
26 (2) Section 491.001(a)(8), Government Code;
27 (3) Section 493.0051, Government Code;

- 1 (4) Section 494.011, Government Code;
2 (5) Section 497.111, Government Code;
3 (6) Section 499.106, Government Code;
4 (7) Section 499.107, Government Code;
5 (8) Section 501.062(c), Government Code;
6 (9) Section 507.003, Government Code;
7 (10) Section 507.004, Government Code;
8 (11) Sections 508.1131(b) and (c), Government Code;
9 and
10 (12) Section 614.021(c), Health and Safety Code.

11 SECTION 82. The change in law made by this Act to Section
12 492.002, Government Code, does not affect the entitlement of a
13 member serving on the Texas Board of Criminal Justice before the
14 effective date of this Act to continue to serve for the remainder of
15 the member's term. As the terms of members expire, the governor
16 shall appoint or reappoint members who have the qualifications
17 required by Section 492.002(a), Government Code, as amended by this
18 Act.

19 SECTION 83. (a) Sections 492.0031, 501.140, and 508.0362,
20 Government Code, as amended by this Act, apply to a member of the
21 Texas Board of Criminal Justice, the Correctional Managed Health
22 Care Committee, or the Board of Pardons and Paroles, as applicable,
23 appointed before, on, or after the effective date of this Act.

24 (b) A member of the Texas Board of Criminal Justice, the
25 Correctional Managed Health Care Committee, or the Board of Pardons
26 and Paroles who, before the effective date of this Act, completed
27 the training program required by Section 492.0031, 501.140, or

1 508.0362, Government Code, as that law existed before the effective
2 date of this Act, is only required to complete additional training
3 on the subjects added by this Act to the training program required
4 by Section 492.0031, 501.140, or 508.0362, Government Code, as
5 applicable. A member described by this subsection may not vote,
6 deliberate, or be counted as a member in attendance at a meeting of
7 the applicable board or committee held on or after December 1, 2025,
8 until the member completes the additional training.

9 SECTION 84. (a) Section 508.0362, Government Code, as
10 amended by this Act, applies to a parole commissioner employed by
11 the Board of Pardons and Paroles before, on, or after the effective
12 date of this Act.

13 (b) A parole commissioner who, before the effective date of
14 this Act, completed the training program required by Section
15 508.0362, Government Code, as that law existed before the effective
16 date of this Act, is only required to complete additional training
17 on the subjects added by this Act to the training program required
18 by that section. A parole commissioner described by this
19 subsection may not vote or deliberate on a matter described by
20 Section 508.0441, Government Code, occurring on or after December
21 1, 2025, until the member completes the additional training.

22 SECTION 85. Section 659.015(k), Government Code, as amended
23 by this Act, applies to compensatory time accrued by an employee of
24 the Texas Department of Criminal Justice before, on, or after the
25 effective date of this Act.

26 SECTION 86. As soon as practicable after the effective date
27 of this Act:

1 (1) the Texas Board of Criminal Justice shall adopt
2 the rules required by Sections 499.101(a), 508.1131, and 508.1142,
3 Government Code, as amended by this Act; and

4 (2) the Board of Pardons and Paroles shall adopt the
5 rules required by Section 508.146(g), Government Code, as added by
6 this Act.

7 SECTION 87. (a) Not later than December 1, 2025, the Board
8 of Pardons and Paroles shall make the training required by Section
9 508.0421, Government Code, as added by this Act, available to board
10 members and parole commissioners described by Subsection (a) of
11 that section.

12 (b) Notwithstanding Section 508.0421(d), Government Code,
13 as added by this Act, a board member or parole commissioner to whom
14 that section applies is not required to complete the training
15 required by that section until December 1, 2025.

16 SECTION 88. Not later than September 1, 2026:

17 (1) the Texas Department of Criminal Justice and the
18 Windham School District shall develop the strategic plan required
19 by Section 501.104, Government Code, as added by this Act; and

20 (2) the Texas Department of Criminal Justice shall
21 revise each inmate's individual treatment plan as necessary to
22 conform to the requirements of Section 508.152(b-3), Government
23 Code, as added by this Act.

24 SECTION 89. It is the intent of the 89th Legislature,
25 Regular Session, 2025, that the amendments made by this Act be
26 harmonized with another Act of the 89th Legislature, Regular
27 Session, 2025, relating to nonsubstantive additions to and

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1 corrections in enacted codes.

2 SECTION 90. This Act takes effect September 1, 2025.