

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. Section 19.003, Education Code, is amended to read as follows:

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

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

SECTION 2. Section 19.004(c), Education Code, is amended to read as follows:

(c) The district shall:

- (1) develop educational programs specifically designed for persons eligible under Section 19.005 and ensure that those programs, such as high school equivalency certificate [~~CED~~]

1 and English as a second language [~~ESL~~], are integrated with an
2 applied career and technical [~~vocational~~] context leading to
3 employment;

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

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

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

19 SECTION 3. Section 19.0041(a), Education Code, is amended
20 to read as follows:

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

- (1) institutional disciplinary violations;
- (2) subsequent arrests;
- (3) subsequent convictions or confinements;
- (4) the cost of confinement;
- (5) educational achievement;
- (6) high school equivalency examination passage;
- (7) the kind of training services provided;
- (8) the kind of employment the person obtains on release;
- (9) whether the employment was related to training;
- (10) the difference between the amount of the person's earnings on the date employment is obtained following release and the amount of those earnings on the first anniversary of that date; and
- (11) the retention factors associated with the employment.

SECTION 4. Section 19.0042, Education Code, is amended to read as follows:

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

- (1) any rule or policy of a state agency that would impose a restriction or prohibition on the person in obtaining a certificate or license in connection with the career and technical education [~~vocational training~~] program;

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

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

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

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

12 (3) the procedures for:

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

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

18 (C) appealing a state agency's denial of a
19 certificate or license, including deadlines and due process
20 requirements:

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

23 (ii) through any other available avenue.

24 SECTION 5. Section 19.010(a), Education Code, is amended to
25 read as follows:

26 (a) The district shall propose, and the board shall adopt
27 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 6. 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 share data with the Texas Higher Education Coordinating Board for the purpose of administering postsecondary education programs within the department.

SECTION 7. 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 8. 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 ~~[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~~

1 (6) [~~48~~] any applicable ethics policies adopted by
2 the department or the Texas Ethics Commission.

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

10 SECTION 9. Section [492.012](#), Government Code, is amended to
11 read as follows:

12 Sec. 492.012. SUNSET PROVISION. The Texas Board of
13 Criminal Justice and the Texas Department of Criminal Justice are
14 subject to Chapter 325 (Texas Sunset Act). Unless continued in
15 existence as provided by that chapter, the board and the department
16 are abolished September 1, 2037 [~~2025~~].

17 SECTION 10. Chapter [493](#), Government Code, is amended by
18 adding Sections 493.0084 and 493.036 to read as follows:

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

20 (a) The department shall develop and maintain a comprehensive
21 inventory of active programs offered in department facilities,
22 including peer-led programs and volunteer-led programs, that
23 includes the following information for each program:

24 (1) program goals;

25 (2) program capacity and enrollments; and

26 (3) facilities where the program is offered.

27 (b) The department shall make the inventory available to the

1 public on the department's Internet website and continuously update
2 the inventory.

3 (c) The department shall collect and analyze data for the
4 programs described by Subsection (a) to evaluate the effectiveness
5 of the programs and to improve program offerings.

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

8 (1) for programs claiming rehabilitative or reentry
9 effects:

10 (A) collect results-based performance data;

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

13 (C) use the criteria developed under Paragraph
14 (B) to evaluate the programs, including the data described by
15 Paragraph (A);

16 (2) create a separate correctional elective programs
17 category for non-evidence-based and non-evidence-informed programs
18 and develop criteria to evaluate the programs;

19 (3) collect and analyze data for program participants
20 relating to:

21 (A) institutional disciplinary violations;

22 (B) subsequent arrests;

23 (C) subsequent convictions or confinements;

24 (D) employment obtained following release; and

25 (E) cost of confinement; and

26 (4) use the data described by Subdivision (3) to
27 produce and compare recidivism rates and other correctional impact

1 trends and to make changes to the programs as needed.

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

5 (f) Not later than December 1 of each even-numbered year,
6 the department shall submit a report on the department's analysis
7 of programs described by Subsection (a) to the board, the Board of
8 Pardons and Paroles, the governor, the lieutenant governor, the
9 speaker of the house of representatives, and each standing
10 committee of the legislature with primary jurisdiction over the
11 department.

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

15 Sec. 493.036. LONG-TERM FACILITIES AND STAFFING PLAN. (a)
16 The department shall prepare a 10-year plan that:

17 (1) identifies the department's facility and capacity
18 needs; and

19 (2) includes recommendations for how the state can
20 house inmates in facilities that are adequately staffed.

21 (b) The plan under Subsection (a) must:

22 (1) examine the department's ability to operate each
23 facility based on current and future staffing levels, including
24 cost to the department, with consideration of demographic and
25 economic trends and facility repair needs;

26 (2) evaluate how the department will distribute or
27 consolidate inmates efficiently based on capacity and factors such

as custody level, medical needs, and other special needs;

(3) evaluate any facility retrofitting necessary to accommodate the needs of the department's inmate population;

(4) evaluate the construction necessary to increase capacity to manage the department's projected inmate population, including:

(A) the ways in which the construction can be done in well-staffed areas of the state on existing department property; and

(B) proposed timelines for the construction;

(5) include a phased implementation plan for closing facilities with persistent staffing challenges; and

(6) include estimated savings from reduced maintenance costs and any potential real property sales with respect to facilities included in the phased implementation plan.

(c) 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.

(d) In identifying potential facilities for closure as part of the phased implementation plan described by Subsection (b)(5), the department shall consider, at a minimum, the following factors with respect to each facility:

(1) the department's ability to staff the facility and the facility's operation and maintenance costs;

- 1 (2) vacancy rates;
- 2 (3) facility capacity;
- 3 (4) county-level demographic and economic data;
- 4 (5) deferred maintenance costs;
- 5 (6) receipt of correctional officers via staff
- 6 transport models;
- 7 (7) number of climate-controlled beds; and
- 8 (8) maximum security status.

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

- 11 (1) the plan to the board for approval; and
- 12 (2) the approved plan to the governor, the lieutenant
- 13 governor, the speaker of the house of representatives, and each
- 14 standing legislative committee with jurisdiction over
- 15 appropriations or the department.

16 SECTION 11. Section 497.022, Government Code, is amended to
17 read as follows:

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

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

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

25 (3) a private school or a [~~visually handicapped~~
26 person with visual impairment] in this state to manufacture Braille
27 textbooks or other instructional aids for the education of

1 ~~[visually handicapped]~~ persons with visual impairment.

2 SECTION 12. Section 499.101, Government Code, is amended to
3 read as follows:

4 Sec. 499.101. MAXIMUM CAPACITIES ~~[EXISTING UNITS]~~. (a)

5 The board by rule shall establish maximum capacities for the units
6 in the institutional division. ~~[are as follows:]~~

7	[Beto I	3,000
8	[Beto II	888
9	[Boyd	1,012
10	[Briscoe	1,012
11	[Central	720
12	[Clemens	851
13	[Clements	2,200
14	[Coffield	3,000
15	[Daniel	1,012
16	[Darrington	1,610
17	[Diagnostic	1,365
18	[Eastham	2,050
19	[Ellis I	1,900
20	[Ellis II	2,260
21	[Ferguson	2,100
22	[Gatesville	1,571
23	[Coree	1,058
24	[Hightower	1,012
25	[Hilltop	761
26	[Hobby	1,012
27	[Hughes	2,264

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

23 (b) It is the intent of the legislature that as case law
24 evolves and indicates that maximum capacities for units in the
25 institutional division [~~established under Subsection (a)~~] may be
26 increased, the staff of the institutional division shall use the
27 procedures established by this subchapter to increase those

capacities. There shall be no cause of action against the institutional division for failure to take action under this subsection.

SECTION 13. Section 499.102(a), Government Code, is amended to read as follows:

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

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

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

(3) adequate space in dayrooms;

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

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

(6) adequate laundry services;

(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

1 disability, and inmates with a physical disability;

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

4 (D) provide adequate internal affairs
5 investigation and review;

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

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

10 (B) access to regional medical facilities;

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

14 (D) access to specialty clinics; and

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

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

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

24 (11) a sufficient number and quality of
25 nonprogrammatic and recreational activities for all eligible
26 inmates who choose to participate;

27 (12) adequate assistance from persons trained in the

1 law or a law library with a collection containing necessary
2 materials and space adequate for inmates to use the law library for
3 study related to legal matters;

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

6 (14) adequate maintenance programs to repair and
7 prevent breakdowns caused by increased use of facilities and
8 fixtures; and

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

11 SECTION 14. Subchapter F, Chapter 499, Government Code, is
12 amended by adding Section 499.1214 to read as follows:

13 Sec. 499.1214. PEN PACKET SUBMISSION TRAINING. The
14 department shall develop and provide annual training for county
15 employees on the submission of documents required before the
16 department takes custody of a person being transferred from a
17 county jail to the department, including documents required under
18 Sections 8(a) and (c), Article 42.09, Code of Criminal Procedure.

19 SECTION 15. Section 501.009, Government Code, is amended to
20 read as follows:

21 Sec. 501.009. VOLUNTEER AND FAITH-BASED ORGANIZATIONS[~~+~~
22 ~~REPORT~~]. (a) The department shall adopt a policy that requires
23 department staff responsible for rehabilitation and reentry
24 programs and services [~~each warden~~] to identify volunteer and
25 faith-based organizations that provide programs for inmates housed
26 in facilities operated by the department. The policy must require
27 the staff [~~each warden~~] to actively encourage volunteer and

1 faith-based organizations to provide the following programs for
2 inmates in department facilities [~~the warden's facility~~]:

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

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

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

21 (1) the programs provided to inmates under this
22 section; and

23 (2) the actions taken [~~by the warden~~] to identify
24 volunteer and faith-based organizations willing to provide
25 programs to inmates and to encourage those organizations to provide
26 programs in the department facilities [~~warden's facility~~].

27 SECTION 16. Section 501.017(b), Government Code, is amended

1 to read as follows:

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

6 SECTION 17. Section 501.054(h), Government Code, is amended
7 to read as follows:

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

13 SECTION 18. Sections 501.057(a) and (b), Government Code,
14 are amended to read as follows:

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

18 (b) Not later than the 30th day before the initial parole
19 eligibility date of an inmate identified as having a mental illness
20 [~~mentally ill~~], an institutional division psychiatrist shall
21 examine the inmate. The psychiatrist shall file a sworn
22 application for court-ordered temporary mental health services
23 under Chapter 574, Health and Safety Code, if the psychiatrist
24 determines that the inmate has a mental illness [~~is mentally ill~~]
25 and as a result of the illness the inmate meets at least one of the
26 criteria listed in Section 574.034 or 574.0345, Health and Safety
27 Code.

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

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

SECTION 20. Section 501.092(i), Government Code, is amended to read as follows:

(i) Not later than December [~~September~~] 1 of each even-numbered year, the department shall deliver a report of the results of evaluations conducted under Subsection (b)(7) to the lieutenant governor, the speaker of the house of representatives, and each standing committee of the senate and house of representatives having primary jurisdiction over the department.

SECTION 21. Subchapter C, Chapter 501, Government Code, is amended by adding Section 501.104 to read as follows:

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

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

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

(2) reduce program redundancies;

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

(4) incorporate technology-based solutions.

1 (b-1) The strategic plan must include clear steps and
2 timelines to reduce, by September 1, 2027, overall parole-voted
3 program placement timelines by at least 50 percent compared to the
4 timelines on August 31, 2023. This subsection expires December 31,
5 2027.

6 (c) In developing the strategic plan, the department shall
7 evaluate therapeutic service contracts and obligations and
8 renegotiate the contracts and obligations as necessary to meet
9 current and projected program needs.

10 (d) The department and the Windham School District shall
11 jointly update the strategic plan at least once every five years.

12 (e) Not later than December 1 of each even-numbered year,
13 the department and the Windham School District shall submit a joint
14 report on the implementation of the strategic plan to the board, the
15 Board of Pardons and Paroles, the governor, the lieutenant
16 governor, the speaker of the house of representatives, and each
17 standing committee of the legislature with primary jurisdiction
18 over the department.

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

22 SECTION 22. Section 501.138(c), Government Code, is amended
23 to read as follows:

24 (c) If the executive director [~~managed health care~~
25 ~~administrator~~] has knowledge that a potential ground for removal
26 exists, the executive director [~~administrator~~] shall notify the
27 presiding officer of the committee of the potential ground. The

presiding officer shall then notify the governor and the attorney general that a potential ground for removal exists. If the potential ground for removal involves the presiding officer, the executive director ~~[managed health care administrator]~~ shall notify the next highest ranking officer of the committee, who shall then notify the governor and the attorney general that a potential ground for removal exists.

SECTION 23. Section 501.140, 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 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

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

4 [~~(C) the administrative procedure law, Chapter~~
5 ~~2001, and~~

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

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

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

17 SECTION 24. Section 508.036, Government Code, is amended by
18 adding Subsection (a-1) to read as follows:

19 (a-1) A report under Subsection (a)(5) must include:

20 (1) the following information with respect to the
21 release of inmates on medically recommended intensive supervision
22 under Section 508.146 for the preceding 10-year period:

23 (A) the number of inmates released on medically
24 recommended intensive supervision;

25 (B) an explanation of any trends;

26 (C) release revocation rates;

27 (D) types of modifications of conditions of

1 release or graduated sanctions imposed; and

2 (E) the approval rate of inmates reviewed by a
3 parole panel described by Section 508.146(e) for release on
4 medically recommended intensive supervision;

5 (2) an evaluation of the consistency with which
6 graduated sanctions are imposed for releasees or release on parole
7 or mandatory supervision is revoked;

8 (3) an evaluation of the consistency with which
9 special conditions are imposed under Subchapter I; and

10 (4) the rates of consensus between voting outcomes and
11 hearing officer recommendations and between voting outcomes and
12 other recommendations made by an employee authorized to make
13 recommendations for special conditions and graduated sanctions.

14 SECTION 25. Section 508.0362, Government Code, is amended
15 by amending Subsections (a) and (b) and adding Subsection (d) to
16 read as follows:

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

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

26 (b) The ~~[A]~~ training program must provide the person with
27 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]~~;

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

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

(A) 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 ~~[open records law, Chapter 552, and~~

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

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

(d) The board administrator shall create a training manual that includes the information required by Subsection (b). The board administrator shall distribute a copy of the training manual annually to each board member and parole commissioner. Each board

1 member and parole commissioner shall sign and submit to the board
2 administrator a statement acknowledging that the person received
3 and has reviewed the training manual.

4 SECTION 26. Subchapter B, Chapter 508, Government Code, is
5 amended by adding Sections 508.0421 and 508.0455 to read as
6 follows:

7 Sec. 508.0421. TRAINING PROGRAM ON MEDICALLY RECOMMENDED
8 INTENSIVE SUPERVISION. (a) The board shall develop and provide a
9 comprehensive training program on the release of inmates on
10 medically recommended intensive supervision under Section 508.146
11 for board members and parole commissioners serving on a parole
12 panel under that section. The program must include:

13 (1) background information on medically recommended
14 intensive supervision; and

15 (2) training and education regarding:

16 (A) statutory requirements and board rules for
17 the consideration and release of inmates on medically recommended
18 intensive supervision;

19 (B) the supervision of persons released on
20 medically recommended intensive supervision, including information
21 on:

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

24 (ii) the imposition and modification of
25 special conditions on a releasee; and

26 (C) the medical conditions affecting inmates who
27 are eligible for medically recommended intensive supervision,

1 including treatments for those conditions.

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

3 (1) use available data on medically recommended
4 intensive supervision; and

5 (2) consult with the division and a practicing
6 physician and psychiatrist as needed.

7 (c) The board shall develop a condensed version of the
8 training program that includes only the training and education
9 described by Subsection (a)(2).

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

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

27 (b) Using the data collected under Subsection (a), the board

1 shall determine a method for evaluating the consistency of
2 revocation decisions across all three-voter parole panels.

3 (c) The board shall use its findings from the data collected
4 under this section and the information described by Sections
5 508.036(a-1) and 508.1445(b) in developing the training required
6 under Sections 508.041 and 508.042.

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

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

12 SECTION 28. Section 508.1131, Government Code, is amended
13 by amending Subsection (a) and adding Subsection (a-1) to read as
14 follows:

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

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

25 SECTION 29. Section 508.1142, Government Code, is amended
26 to read as follows:

27 Sec. 508.1142. PAROLE OFFICER MAXIMUM CASELOADS. (a) The

1 Texas Board of Criminal Justice by rule ~~[department]~~ shall
2 establish ~~[adopt a policy that establishes]~~ guidelines for a
3 maximum caseload for a ~~[each]~~ parole officer ~~[of:~~

4 ~~[(1) 60 active releasees, if the releasees are not in a~~
5 ~~specialized program described by Subdivisions (2)-(6),~~

6 ~~[(2) 35 active releasees, if the releasees are in the~~
7 ~~special needs offender program,~~

8 ~~[(3) 35 active releasees, if the releasees are in the~~
9 ~~therapeutic community substance abuse aftercare treatment program,~~

10 ~~[(4) 24 active releasees, if the releasees are in the~~
11 ~~sex offender program,~~

12 ~~[(5) 20 active releasees, if the releasees are~~
13 ~~electronically monitored; and~~

14 ~~[(6) 11 active releasees, if the releasees are in the~~
15 ~~super-intensive supervision program].~~

16 (b) The Texas Board of Criminal Justice:

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

21 (2) may revise the guidelines as needed.

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

~~the department fails to meet the guidelines, stating the amount of money needed by the department to meet the guidelines].~~

SECTION 30. Subchapter D, Chapter 508, Government Code, is amended by adding Sections 508.1143 and 508.120 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).

1 (d) This section expires September 1, 2027.

2 Sec. 508.120. PROHIBITION ON CERTAIN DIVISION ACTIONS
3 INVOLVING SPECIAL CONDITIONS. The division may not:

4 (1) make recommendations regarding the imposition of a
5 special condition before an inmate is released on parole or to
6 mandatory supervision; or

7 (2) review the voting decisions of a parole panel with
8 respect to the imposition of a special condition.

9 SECTION 31. Section 508.1445(b), Government Code, is
10 amended to read as follows:

11 (b) The report must include:

12 (1) a brief explanation of the parole guidelines,
13 including how the board:

14 (A) defines the risk factors and offense severity
15 levels; and

16 (B) determines the range of recommended parole
17 approval rates for each guideline score;

18 (2) a comparison of the range of recommended parole
19 approval rates under the parole guidelines to the actual approval
20 rates for individual parole panel members, each regional
21 three-voter parole panel ~~[offices]~~, and the state as a whole; ~~[and]~~

22 (3) a description of instances in which the actual
23 parole approval rates, including rates for each regional
24 three-voter parole panel, do not meet the range of recommended
25 parole approval rates under the parole guidelines, an explanation
26 of the variations, and a list of actions that the board has taken or
27 will take to meet the guidelines; and

1 (4) information regarding the rates at which each
2 regional three-voter parole panel imposes each special condition
3 when approving release on parole and an explanation for any
4 significant variations among the panels.

5 SECTION 32. Section 508.146, Government Code, is amended by
6 adding Subsections (g), (h), (i), and (j) to read as follows:

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

9 (1) specify the procedures for evaluating the
10 prognosis of inmates who are eligible for medically recommended
11 intensive supervision under Subsection (a) because of a qualifying
12 medical condition;

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

16 (3) define what constitutes a threat to public safety
17 for purposes of Subsections (a)(2) and (f) and specify the factors
18 that a parole panel described by Subsection (e) must consider when
19 determining whether an inmate constitutes a threat to public
20 safety.

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

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

24 (2) require each health care practitioner who reviews
25 an inmate's condition as described by Subdivision (1) to provide
26 the parole panel described by Subsection (e), before the panel
27 makes a final determination under this section, a written report on

1 the inmate's condition that:

2 (A) is in plain language that is understandable
3 by a nonmedical professional;

4 (B) specifically describes how the inmate's
5 condition and treatment for the condition will affect the inmate's
6 cognitive and physical abilities and limitations; and

7 (C) contains other information as required by the
8 board.

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

12 (1) the Correctional Managed Health Care Committee;

13 (2) the division;

14 (3) the Texas Correctional Office on Offenders with
15 Medical or Mental Impairments;

16 (4) the Texas Tech University Health Sciences Center;
17 and

18 (5) The University of Texas Medical Branch at
19 Galveston.

20 (j) Information regarding the identity of a health care
21 practitioner providing a report described by Subsection (h)(2),
22 other than information relating to the practitioner's
23 specialization, is excepted from required disclosure under Chapter
24 552. The board may release the information or redact or otherwise
25 withhold the information from disclosure under Chapter 552.

26 SECTION 33. Section 508.152, Government Code, is amended by
27 adding Subsection (b-3) to read as follows:

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

4 (1) includes:

5 (A) state-funded programs;

6 (B) intensive volunteer programs; and

7 (C) program enrollment and completion dates; and

8 (2) distinguishes between required evidence-based
9 programs and correctional elective programs that are non-evidence
10 based or non-evidence informed.

11 SECTION 34. Subchapter E, Chapter 508, Government Code, is
12 amended by adding Sections 508.1521 and 508.158 to read as follows:

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

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

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

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

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

27 (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
individual treatment plan programs and parole-voted programs; and

(4) coordinate on required individual treatment plan
and parole-voted programming options through regular meetings.

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

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

(e) The department shall:

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

(A) the number of inmates waiting for placement

1 into a program;

2 (B) the waitlist times for placement into a
3 program;

4 (C) the reasons for program placement delays,
5 other than delays due to a program start date specified by the
6 board;

7 (D) vote revision requests related to program
8 ineligibility, placement delays, and other factors that may affect
9 parole release timelines; and

10 (E) the number of inmates unable to complete
11 parole-voted programs before the earliest date on which the inmates
12 would have been eligible to be released following program
13 completion;

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

15 (A) calculate parole-voted program waitlist
16 times;

17 (B) track and reduce parole-voted program
18 enrollment timelines; and

19 (C) work to eliminate parole-voted program
20 placement delays; and

21 (3) include the data and analysis described by
22 Subdivision (1) in the strategic plan required under Section
23 501.104.

24 (f) The department shall prioritize the placement of
25 inmates into parole-voted programs, ensure parole-voted program
26 capacity meets programming needs, and expand parole-voted program
27 access in accordance with the strategic plan required under Section

1 501.104.

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

7 (b) The work group shall:

8 (1) discuss the efficacy of special conditions;

9 (2) assess the continuing need for the use of specific
10 special conditions; and

11 (3) identify potential modifications to special
12 conditions for the board to consider adopting.

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

16 (d) The work group shall meet annually.

17 SECTION 35. Section 614.009, Health and Safety Code, is
18 amended to read as follows:

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

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

27 (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 36. The following provisions are repealed:

(1) Section 494.011, Government Code;

(2) Section 497.111, Government Code;

(3) Section 501.062(c), Government Code;

(4) Section 507.003, Government Code;

(5) Section 507.004, Government Code;

(6) Sections 508.1131(b) and (c), Government Code; and

(7) Section 614.021(c), Health and Safety Code.

SECTION 37. The change in law made by this Act to Section 492.002, Government Code, does not affect the entitlement of a member serving on the Texas Board of Criminal Justice before the effective date of this Act to continue to serve for the remainder of the member's term. As the terms of members expire, the governor

1 shall appoint or reappoint members who have the qualifications
2 required by Section 492.002(a), Government Code, as amended by this
3 Act.

4 SECTION 38. (a) Sections 492.0031, 501.140, and 508.0362,
5 Government Code, as amended by this Act, apply to a member of the
6 Texas Board of Criminal Justice, the Correctional Managed Health
7 Care Committee, or the Board of Pardons and Paroles, as applicable,
8 appointed before, on, or after the effective date of this Act.

9 (b) A member of the Texas Board of Criminal Justice, the
10 Correctional Managed Health Care Committee, or the Board of Pardons
11 and Paroles who, before the effective date of this Act, completed
12 the training program required by Section 492.0031, 501.140, or
13 508.0362, Government Code, as that law existed before the effective
14 date of this Act, is only required to complete additional training
15 on the subjects added by this Act to the training program required
16 by Section 492.0031, 501.140, or 508.0362, Government Code, as
17 applicable. A member described by this subsection may not vote,
18 deliberate, or be counted as a member in attendance at a meeting of
19 the applicable board or committee held on or after December 1, 2025,
20 until the member completes the additional training.

21 SECTION 39. (a) Section 508.0362, Government Code, as
22 amended by this Act, applies to a parole commissioner employed by
23 the Board of Pardons and Paroles before, on, or after the effective
24 date of this Act.

25 (b) A parole commissioner who, before the effective date of
26 this Act, completed the training program required by Section
27 508.0362, Government Code, as that law existed before the effective

1 date of this Act, is only required to complete additional training
2 on the subjects added by this Act to the training program required
3 by that section. A parole commissioner described by this
4 subsection may not vote or deliberate on a matter described by
5 Section 508.0441, Government Code, occurring on or after December
6 1, 2025, until the member completes the additional training.

7 SECTION 40. As soon as practicable after the effective date
8 of this Act:

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

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

15 SECTION 41. (a) Not later than December 1, 2025, the Board
16 of Pardons and Paroles shall make the training required by Section
17 508.0421, Government Code, as added by this Act, available to board
18 members and parole commissioners described by Subsection (a) of
19 that section.

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

24 SECTION 42. Not later than September 1, 2026:

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

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

5 SECTION 43. The Board of Pardons and Paroles is not required
6 to comply with the changes in law made by this Act to Sections
7 508.036 and 508.1445, Government Code, until September 1, 2026.

8 SECTION 44. This Act takes effect September 1, 2025.