

By: Menéndez

S.B. No. 2938

A BILL TO BE ENTITLED

AN ACT

relating to the verification of the veteran status of inmates and prisoners.

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

SECTION 1. Section 8(a), Article 42.09, Code of Criminal Procedure, is amended to read as follows:

(a) A county that transfers a defendant to the Texas Department of Criminal Justice under this article shall deliver to an officer designated by the department:

(1) a copy of the judgment entered pursuant to Article 42.01, completed on a standardized felony judgment form described by Section 4 of that article;

(2) a copy of any order revoking community supervision and imposing sentence pursuant to Article 42A.755, including:

(A) any amounts owed for restitution, fines, and court costs, completed on a standardized felony judgment form described by Section 4, Article 42.01; and

(B) a copy of the client supervision plan prepared for the defendant by the community supervision and corrections department supervising the defendant, if such a plan was prepared;

(3) a written report that states the nature and the seriousness of each offense and that states the citation to the provision or provisions of the Penal Code or other law under which

1 the defendant was convicted;

2 (4) a copy of the victim impact statement, if one has  
3 been prepared in the case under Subchapter D, Chapter 56A;

4 (5) a statement as to whether there was a change in  
5 venue in the case and, if so, the names of the county prosecuting  
6 the offense and the county in which the case was tried;

7 (6) if requested, information regarding the criminal  
8 history of the defendant, including the defendant's state  
9 identification number if the number has been issued;

10 (7) a copy of the indictment or information for each  
11 offense;

12 (8) a checklist sent by the department to the county  
13 and completed by the county in a manner indicating that the  
14 documents required by this subsection and Subsection (c) accompany  
15 the defendant;

16 (9) if prepared, a copy of a presentence or  
17 postsentence report prepared under Subchapter F, Chapter 42A;

18 (10) a copy of any detainer, issued by an agency of the  
19 federal government, that is in the possession of the county and that  
20 has been placed on the defendant;

21 (11) if prepared, a copy of the defendant's Texas  
22 Uniform Health Status Update Form;

23 (12) a written description of a hold or warrant,  
24 issued by any other jurisdiction, that the county is aware of and  
25 that has been placed on or issued for the defendant; ~~and~~

26 (13) a copy of any mental health records, mental  
27 health screening reports, or similar information regarding the

1 mental health of the defendant; and

2 (14) the veteran status of the defendant as determined  
3 by an investigation conducted in accordance with Section  
4 511.009(a)(17)(A), Government Code.

5 SECTION 2. Section 501.024(b), Government Code, is amended  
6 to read as follows:

7 (b) The department shall:

8 (1) in consultation with the Texas Veterans  
9 Commission, investigate and verify the veteran status of each  
10 inmate by using the best available federal data; and

11 (2) use the data described by Subdivision (1) to  
12 assist inmates who are veterans in applying for federal benefits or  
13 compensation for which the inmates may be eligible under a program  
14 administered by the United States Department of Veterans Affairs,  
15 including mailing any related paperwork, application, or other  
16 correspondence on behalf of and at no charge to the inmate.

17 SECTION 3. Section 511.009(a), Government Code, is amended  
18 to read as follows:

19 (a) The commission shall:

20 (1) adopt reasonable rules and procedures  
21 establishing minimum standards for the construction, equipment,  
22 maintenance, and operation of county jails;

23 (2) adopt reasonable rules and procedures  
24 establishing minimum standards for the custody, care, and treatment  
25 of prisoners;

26 (3) adopt reasonable rules establishing minimum  
27 standards for the number of jail supervisory personnel and for

1 programs and services to meet the needs of prisoners;

2 (4) adopt reasonable rules and procedures  
3 establishing minimum requirements for programs of rehabilitation,  
4 education, and recreation in county jails;

5 (5) regularly review the commission's rules and  
6 procedures and revise, amend, or change the rules and procedures if  
7 necessary;

8 (6) provide to local government officials  
9 consultation on and technical assistance for county jails;

10 (7) review and comment on plans for the construction  
11 and major modification or renovation of county jails;

12 (8) require that the sheriff and commissioners of each  
13 county submit to the commission, on a form prescribed by the  
14 commission, an annual report on the conditions in each county jail  
15 within their jurisdiction, including all information necessary to  
16 determine compliance with state law, commission orders, and the  
17 rules adopted under this chapter;

18 (9) review the reports submitted under Subdivision (8)  
19 and require commission employees to inspect county jails regularly  
20 to ensure compliance with state law, commission orders, and rules  
21 and procedures adopted under this chapter;

22 (10) adopt a classification system to assist sheriffs  
23 and judges in determining which defendants are low-risk and  
24 consequently suitable participants in a county jail work release  
25 program under Article 42.034, Code of Criminal Procedure;

26 (11) adopt rules relating to requirements for  
27 segregation of classes of inmates and to capacities for county

1 jails;

2                   (12) adopt a policy for gathering and distributing to  
3 jails under the commission's jurisdiction information regarding:

4                   (A) common issues concerning jail  
5 administration;

6                   (B) examples of successful strategies for  
7 maintaining compliance with state law and the rules, standards, and  
8 procedures of the commission; and

9                   (C) solutions to operational challenges for  
10 jails;

11                  (13) report to the Texas Correctional Office on  
12 Offenders with Medical or Mental Impairments on a jail's compliance  
13 with Article [16.22](#), Code of Criminal Procedure;

14                  (14) adopt reasonable rules and procedures  
15 establishing minimum requirements for a county jail to:

16                   (A) determine if a prisoner is pregnant;

17                   (B) ensure that the jail's health services plan  
18 addresses medical care, including obstetrical and gynecological  
19 care, mental health care, nutritional requirements, and any special  
20 housing or work assignment needs for prisoners who are known or  
21 determined to be pregnant; and

22                   (C) identify when a pregnant prisoner is in labor  
23 and provide appropriate care to the prisoner, including promptly  
24 transporting the prisoner to a local hospital;

25                  (15) provide guidelines to sheriffs regarding  
26 contracts between a sheriff and another entity for the provision of  
27 food services to or the operation of a commissary in a jail under

1 the commission's jurisdiction, including specific provisions  
2 regarding conflicts of interest and avoiding the appearance of  
3 impropriety;

4 (16) adopt reasonable rules and procedures  
5 establishing minimum standards for prisoner visitation that  
6 provide each prisoner at a county jail with a minimum of two  
7 in-person, noncontact visitation periods per week of at least 20  
8 minutes duration each;

9 (17) require the sheriff of each county to:

10 (A) investigate and verify the veteran status of  
11 each prisoner during the intake process by using data made  
12 available from the Veterans Reentry Search Service (VRSS) operated  
13 by the United States Department of Veterans Affairs or a similar  
14 service; ~~and~~

15 (B) use the data described by Paragraph (A) to  
16 assist prisoners who are veterans in applying for federal benefits  
17 or compensation for which the prisoners may be eligible under a  
18 program administered by the United States Department of Veterans  
19 Affairs, including providing the prisoner on verification of the  
20 prisoner's veteran status with a prepaid postcard that is supplied  
21 by the Texas Veterans Commission for purposes of requesting  
22 assistance in applying for veterans benefits;

23 (C) submit a daily report identifying each  
24 prisoner whose veteran status was verified under Paragraph (A)  
25 during the previous day to the Texas Veterans Commission and, as  
26 applicable, the veterans county service officer for the county and  
27 each court in which charges against a prisoner identified in the

1 report are pending; and

2 (D) allow for a prisoner whose veteran status has  
3 been verified under Paragraph (A) to have in-person or video  
4 visitation with the veterans county service officer for the county  
5 or a peer service coordinator at no cost to the prisoner;

6 (18) adopt reasonable rules and procedures regarding  
7 visitation of a prisoner at a county jail by a guardian, as defined  
8 by Section 1002.012, Estates Code, that:

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

15 (B) require the guardian to provide the sheriff  
16 with letters of guardianship issued as provided by Section  
17 1106.001, Estates Code, before being allowed to visit the prisoner;

18 (19) adopt reasonable rules and procedures to ensure  
19 the safety of prisoners, including rules and procedures that  
20 require a county jail to:

21 (A) give prisoners the ability to access a mental  
22 health professional at the jail or through a telemental health  
23 service 24 hours a day or, if a mental health professional is not at  
24 the county jail at the time, then require the jail to use all  
25 reasonable efforts to arrange for the inmate to have access to a  
26 mental health professional within a reasonable time;

27 (B) give prisoners the ability to access a health

1 professional at the jail or through a telehealth service 24 hours a  
2 day or, if a health professional is unavailable at the jail or  
3 through a telehealth service, provide for a prisoner to be  
4 transported to access a health professional; and

5 (C) if funding is available under Section  
6 511.019, install automated electronic sensors or cameras to ensure  
7 accurate and timely in-person checks of cells or groups of cells  
8 confining at-risk individuals; and

9 (20) adopt reasonable rules and procedures  
10 establishing minimum standards for the quantity and quality of  
11 feminine hygiene products, including tampons in regular and large  
12 sizes and menstrual pads with wings in regular and large sizes,  
13 provided to a female prisoner.

14 SECTION 4. This Act takes effect September 1, 2025.