

BILL ANALYSIS

C.S.H.B. 1856
By: Allen
Corrections
Committee Report (Substituted)

BACKGROUND AND PURPOSE

Currently, Windham School District provides educational and vocational training programs to eligible offenders incarcerated within the Texas Department of Criminal Justice (TDCJ). Windham operates in Institutional Division (ID) prisons and State Jail (SJD) facilities. Windham also contracts to operate within a Parole Division Intermediate Sanction facility. Any person confined or imprisoned in TDCJ who does not have a high school degree can participate in these services, and contingent upon space availability, other inmates are eligible as well. Windham is funded by the foundation school fund and may also receive appropriated funds, grants and federal funds.

In an effort to allow the legislature to better ascertain the effectiveness and efficiency of Windham, CSHB 1856 subjects Windham School District to review by the Sunset Advisory Commission and provides that the Sunset Advisory Commission shall make recommendations to the legislature about whether Windham should be continued by January 1, 2005. Unless continued by the legislature, Chapter 19, Education Code (Windham School District) expires September 1, 2005.

RULEMAKING AUTHORITY

It is the committee's opinion that this bill does not expressly grant any additional rulemaking authority to a state officer, department, agency, or institution.

ANALYSIS

SECTION 1. CSHB 1856 adds Section 19.0021, Education Code, which requires the Windham School District to be subject to Sunset Advisory Commission review. The Sunset Advisory Commission is required to evaluate the extent to which Windham achieves its statutory goals and whether funds are being used efficiently. The section requires the Sunset Advisory Commission to make recommendations to the legislature before January 1, 2005. The section provides that, unless continued by the legislature, Chapter 19, Education Code, expires September 1, 2005.

SECTION 2. CSHB 1856 provides that if, by the terms of Section 19.0021(c), Education Code, the legislature does not continue the Windham School District, then on September 1, 2005, all powers, duties, functions, activities, employees, rules, forms, orders, procedures, obligations, rights, contracts, and property are transferred to the Texas Department of Criminal Justice, and a reference in law to Windham School District means the Texas Department of Criminal Justice.

SECTION 3. Effective date.

EFFECTIVE DATE

September 1, 2003.

COMPARISON OF ORIGINAL TO SUBSTITUTE

The substitute modifies the original by removing the provisions eliminating Windham vocational training and funding by the foundation school fund. The substitute instead provides that Windham be subject to Sunset Advisory Commission review.