

By: Hodge

H.B. No. 403

A BILL TO BE ENTITLED

AN ACT

relating to the early termination of parole or mandatory supervision for certain releasees who successfully complete a residential substance abuse treatment program.

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

SECTION 1. Chapter 508, Government Code, is amended by adding Section 508.1551 to read as follows:

Sec. 508.1551. EARLY TERMINATION OF PAROLE OR MANDATORY SUPERVISION. (a) Notwithstanding Section 508.148 or 508.155, the board shall terminate the parole or mandatory supervision of a person who:

(1) is required as a condition of release under Section 508.185 to participate in a substance abuse treatment program that includes not less than 150 days of residential care;

(2) successfully completes the program; and

(3) submits to the parole officer supervising the person:

(A) proof of the person's successful completion of the program in the manner required by the board;

(B) an application for termination of supervision on a form prescribed by the board; and

(C) a one-time nonrefundable supervision termination fee made payable to the division in the amount of \$500.

(b) The board shall:

1 (1) adopt rules governing the manner by which a person
2 may provide proof of the successful completion of a substance abuse
3 treatment program for purposes of this section; and

4 (2) prescribe a standard form for use as an
5 application for termination of supervision under this section.

6 (c) A parole officer who receives the materials described by
7 Subsection (a)(3) shall promptly forward those materials to the
8 designated representative within the division for processing. On
9 receipt of the materials, including the fee, and on verification of
10 the person's proof of the successful completion of a substance
11 abuse treatment program, the division shall immediately notify the
12 board. On receipt of the notification, the board shall terminate
13 the person's parole or mandatory supervision.

14 (d) A person whose parole or mandatory supervision is
15 terminated under this section is considered to have completed the
16 person's full period of parole or mandatory supervision.

17 (e) Fees collected under this section shall be deposited to
18 the credit of a dedicated account in the general revenue fund.
19 Money in the account may be appropriated only to provide funding for
20 the administration and provision of substance abuse treatment under
21 Section 508.185.

22 SECTION 2. Section 508.185, Government Code, is amended to
23 read as follows:

24 Sec. 508.185. SUBSTANCE ABUSE TREATMENT. (a) A parole
25 panel shall require as a condition of release on parole or release
26 to mandatory supervision that an inmate participate as a releasee
27 in a substance abuse treatment program approved by the Department

1 of State Health Services that includes not less than 150 days of
2 residential care if the inmate:

3 (1) is not serving a sentence for and has never been
4 previously convicted of an offense listed in Section 508.149 and
5 would not otherwise be considered ineligible for release to
6 mandatory supervision under that section;

7 (2) successfully completes an in-prison substance
8 abuse treatment program or [who] immediately before release is a
9 participant in the program established under Section 501.0931; and

10 (3) agrees to participate as a releasee in a substance
11 abuse [in a drug or alcohol abuse continuum of care] treatment
12 program that includes residential care.

13 (b) The Department of State Health Services:

14 (1) is responsible for the administration of the
15 certification of substance abuse treatment programs approved under
16 this section;

17 (2) may charge a nonrefundable application fee for:

18 (A) initial certification of the approval; or

19 (B) renewal of the certification;

20 (3) shall adopt rules regarding substance abuse
21 treatment programs approved under this section; and

22 (4) shall monitor, coordinate, and provide training to
23 a person who provides a substance abuse [The Texas Commission on
24 Alcohol and Drug Abuse shall develop the continuum of care]
25 treatment program under this section.

26 SECTION 3. This Act applies to a person who is released on
27 parole or to mandatory supervision before, on, or after the

1 effective date of this Act.

2 SECTION 4. This Act takes effect September 1, 2007.