

By: Giddings

H.B. No. 3286

A BILL TO BE ENTITLED

AN ACT

relating to offender education facilitation.

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

SECTION 1. Section 1.001(b), Education Code, is amended to read as follows:

(b) Except as provided by Chapter 18, Chapter 19, Subchapter A, Chapter 29, or Subchapter E, Chapter 30, this code does not apply to students, facilities, or programs under the jurisdiction of the Department of Aging and Disability Services, the Department of State Health Services, the Health and Human Services Commission, the Texas Youth Commission, the Texas Department of Criminal Justice, any federal corrections agency, a Job Corps program operated by or under contract with the United States Department of Labor, or any juvenile probation agency.

SECTION 2. Section 19.005, Education Code, is amended by adding subsections (c), (d), and (e) to read as follows:

(c) Each institution of higher education or private or independent institution of higher education that operates under this Chapter shall accept the Test of Adult Basic Education scores for purposes of placement in academic courses for persons under the jurisdiction of the Texas Department of Criminal Justice.

(d) Each institution of higher education or private or independent institution of higher education that receives state funding shall provide transcripts of persons under the jurisdiction

1 of the Texas Department of Criminal Justice or persons under the
2 jurisdiction of the federal government to other institutions of
3 higher education or private or independent institutions of higher
4 education that receive state funding.

5 (e) Offenders in federal custody located in the state of
6 Texas and persons in the custody of the Texas Department of Criminal
7 Justice shall be considered residents of this state for purposes of
8 tuition and other educational opportunities at institutions of
9 higher education.

10 SECTION 3. Section 499.155, Government Code, is amended by
11 amending subsection (a) and adding subsection (b-1) to read as
12 follows:

13 (a) Except as provided by Subsections ~~Subsection~~ (b) and
14 (b-1), the institutional division may not confine an inmate
15 described by Section 499.152 in a transfer facility authorized by
16 this subchapter for a period that exceeds the maximum period for
17 which a state jail felon may be confined in a state jail felony
18 facility under Section 12.35, Penal Code.

19 (b-1) An inmate in a transfer facility authorized by this
20 subchapter may be retained in that facility past the period
21 specified by Subsection (a) if retention in the facility would
22 allow the completion of an educational degree.

23 SECTION 4. Section 507.033, Government Code, is amended by
24 adding subsection (c) to read as follows:

25 (c) State jail facilities within the Texas Department of
26 Criminal Justice may be profiled to accept offenders for college
27 programs. An offender may request transfer to such a facility that

1 provides college programming.

2 SECTION 5. Section 508.183, Government Code, is amended by
3 adding subsection (c) to read as follows:

4 (c) The Texas Department of Criminal Justice shall adopt
5 rules allowing an offender to receive early release based on
6 academic success.

7 SECTION 6. This bill is effective September 1, 2007.