

## **BILL ANALYSIS**

C.S.H.B. 3226  
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Corrections  
Committee Report (Substituted)

### **BACKGROUND AND PURPOSE**

Currently, the Texas Department of Criminal Justice (TDCJ) requires that all offenders approved for parole have a verifiable address prior to release. TDCJ contracts for seven halfway houses and two county jails for offenders who do not have an approved address. These halfway houses and county jail beds used as halfway house beds remain at maximum contract capacity. As a result, there are 200-300 offenders who have been approved for parole and who are waiting in prison for an available halfway house bed, and at several times in the past, there have been more than 600 offenders waiting for available community beds. In addition, the available beds often are not near the county of residence of many offenders, making re-entry into a community very difficult, limiting the offender's ability to secure employment, and making reconnecting with a support system hundreds of miles away an almost impossible feat.

C.S.H.B. 3226 authorizes TDCJ to use money from appropriated released inmate residential funds to issue vouchers or debit cards to pay for temporary housing to inmates eligible for release on parole or to mandatory supervision. The bill requires the executive director of TDCJ to adopt rules to implement the issuance of the voucher or debit card.

### **RULEMAKING AUTHORITY**

It is the committee's opinion that rulemaking authority is expressly granted to the executive director of the Texas Department of Criminal Justice in SECTIONS 1 and 3 of this bill.

### **ANALYSIS**

C.S.H.B. 3226 amends the Government Code to authorize the Texas Department of Criminal Justice (TDCJ) to issue to an inmate who is eligible for release on parole or to mandatory supervision and who has not been released from TDCJ, including from a halfway house, solely because a permanent post-release residence has not been located or established for the inmate a voucher or debit card to be used by the inmate to pay for the cost of temporary post-release housing that meets any conditions or requirements imposed by the parole panel. The bill prohibits the amount of a voucher or debit card issued by TDCJ from exceeding an amount that is equal to the cost TDCJ would incur to incarcerate the inmate for 90 days and requires TDCJ to pay the costs of a voucher or debit card out of funds appropriated by the legislature to TDCJ for use in administering the parole system with respect to the housing of inmates on their release. The bill requires the executive director of TDCJ to adopt rules as necessary to implement the issuance of such a voucher or debit card not later than January 1, 2010.

C.S.H.B. 3226 modifies the conditions that are required to be met before a parole panel is authorized to release an inmate to specify that the condition that arrangements have been made for the inmate's employment or for the inmate's maintenance and care may include the issuance of a voucher or debit card for payment of temporary housing on release. The bill makes its provisions applicable only to an inmate released on parole on or after January 1, 2010.

## **EFFECTIVE DATE**

On passage, or, if the act does not receive the necessary vote, the act takes effect September 1, 2009.

## **COMPARISON OF ORIGINAL AND SUBSTITUTE**

C.S.H.B. 3226 differs from the original with regard to the inmates to whom the Texas Department of Criminal Justice (TDCJ) may issue a voucher or debit card to be used to pay for temporary post-release housing by including inmates who are eligible for release on parole or to mandatory supervision and have not been released from TDCJ, including from a halfway house, rather than inmates who are eligible for parole and have not been released on parole as in the original. The substitute differs from the original by increasing the maximum allowable cost of the voucher or debit card issued to the inmate to an amount equal to the cost of incarcerating the inmate for 90 days, rather than 30 days as in the original.