

AN ACT

relating to requiring the Texas Department of Criminal Justice to establish a comprehensive reentry and reintegration plan for offenders released or discharged from a correctional facility.

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

SECTION 1. Subchapter B, Chapter 495, Government Code, is amended by adding Section 495.028 to read as follows:

Sec. 495.028. IMPLEMENTATION OF REENTRY AND REINTEGRATION PLAN. (a) The department may contract and coordinate with private vendors, units of local government, or other entities to implement the comprehensive reentry and reintegration plan developed under Section 501.092, including contracting to:

(1) coordinate the supervision and services provided to offenders in correctional facilities with any supervision or services provided to offenders who have been released or discharged from the correctional facility;

(2) provide offenders awaiting release or discharge with documents that are necessary after release or discharge, including identification papers, medical prescriptions, job training certificates, and referrals to services; and

(3) provide housing and structured programs, including group homes for recovering substance abusers, through which offenders are provided services immediately following release or discharge.

1 (b) To ensure accountability, any contract entered into
2 under this section must contain specific performance measures that
3 the department shall use to evaluate compliance with the terms of
4 the contract.

5 SECTION 2. Subchapter C, Chapter 501, Government Code, is
6 amended by adding Sections 501.091, 501.092, 501.098, 501.099, and
7 501.100 to read as follows:

8 Sec. 501.091. DEFINITIONS. In this subchapter:

9 (1) "Correctional facility" means a facility operated
10 by or under contract with the department.

11 (2) "Offender" means an inmate or state jail defendant
12 confined in a correctional facility.

13 Sec. 501.092. COMPREHENSIVE REENTRY AND REINTEGRATION PLAN
14 FOR OFFENDERS. (a) The department shall develop a comprehensive
15 plan to reduce recidivism and ensure the successful reentry and
16 reintegration of offenders into the community following an
17 offender's release or discharge from a correctional facility.

18 (b) The reentry and reintegration plan developed under this
19 section must provide for:

20 (1) an assessment of offenders entering a correctional
21 facility to determine which skills the offender needs to develop to
22 be successful in the community following release or discharge;

23 (2) programs that address the assessed needs of
24 offenders;

25 (3) a comprehensive network of transition programs to
26 address the needs of offenders released or discharged from a
27 correctional facility;

1 (4) the identification of providers of existing local
2 programs and transitional services with whom the department may
3 contract under Section 495.028 to implement the reentry and
4 reintegration plan; and

5 (5) subject to Subsection (c), the sharing of
6 information between local coordinators, persons with whom the
7 department contracts under Section 495.028, and other providers of
8 services as necessary to adequately assess and address the needs of
9 each offender.

10 (c) An offender's personal health information may be
11 disclosed under Subsection (b)(5) only if:

12 (1) the offender consents to the disclosure; and

13 (2) the disclosure does not violate the Health
14 Insurance Portability and Accountability Act of 1996 (Pub. L. No.
15 104-191) or other state or federal law.

16 (d) The programs provided under Subsections (b)(2) and (3)
17 must:

18 (1) be implemented by highly skilled staff who are
19 experienced in working with inmate reentry and reintegration
20 programs;

21 (2) provide offenders with:

22 (A) individualized case management and a full
23 continuum of care;

24 (B) life-skills training, including information
25 about budgeting, money management, nutrition, and exercise;

26 (C) education and, if an offender has a learning
27 disability, special education;

1 (D) employment training;

2 (E) appropriate treatment programs, including
3 substance abuse and mental health treatment programs; and

4 (F) parenting and relationship building classes;
5 and

6 (3) be designed to build for former offenders
7 post-release and post-discharge support from the community into
8 which an offender is released or discharged, including support from
9 agencies and organizations within that community.

10 (e) In developing the reentry and reintegration plan under
11 this section, the department shall ensure that the reentry program
12 for long-term inmates under Section 501.096 and the reintegration
13 services provided under Section 501.097 are incorporated into the
14 plan.

15 Sec. 501.098. REENTRY TASK FORCE. (a) The department shall
16 coordinate the work of the task force with the Office of Court
17 Administration, and by rule shall enter into a memorandum of
18 understanding with the following entities to establish a reentry
19 task force:

20 (1) the Texas Youth Commission;

21 (2) the Texas Workforce Commission;

22 (3) the Department of Public Safety;

23 (4) the Texas Department of Housing and Community
24 Affairs;

25 (5) the Texas Correctional Office on Offenders with
26 Medical or Mental Impairments;

27 (6) the Health and Human Services Commission;

1 (7) the Texas Judicial Council; and

2 (8) an organization selected by the department that
3 advocates for or provides reentry or reintegration services to
4 offenders following their release or discharge from a correctional
5 facility.

6 (b) The reentry task force established under Subsection (a)
7 may:

8 (1) identify gaps in services for offenders following
9 their release or discharge to rural or urban communities in the
10 areas of employment, housing, substance abuse treatment, medical
11 care, and any other areas in which the offenders need special
12 services; and

13 (2) coordinate with providers of existing local
14 reentry and reintegration programs, including programs operated by
15 a municipality or county, to make recommendations regarding the
16 provision of comprehensive services to offenders following their
17 release or discharge to rural or urban communities.

18 Sec. 501.099. FAMILY UNITY AND PARTICIPATION. (a) The
19 department shall adopt and implement policies that encourage family
20 unity while an offender is confined and family participation in an
21 offender's post-release or post-discharge transition to the
22 community. In adopting the policies, the department shall consider
23 the impact of department telephone, mail, and visitation policies
24 on the ability of an offender's child to maintain ongoing contact
25 with the offender.

26 (b) The department, when determining in which correctional
27 facility to house an offender, shall consider the best interest of

1 the offender's family and, if possible, house the offender in, or in
2 proximity to, the county in which the offender's family resides.

3 (c) The department shall conduct and coordinate research
4 that examines the impact of an offender's confinement on the
5 well-being of the offender's child.

6 Sec. 501.100. RECIDIVISM STUDY; REPORT. (a) The
7 department shall conduct and coordinate research to determine
8 whether the comprehensive reentry and reintegration plan developed
9 under Section 501.092 and the policies adopted under Section
10 501.099 to encourage family unity and participation reduce
11 recidivism rates.

12 (b) Not later than September 1 of each even-numbered year,
13 the department shall deliver a report of the results of research
14 conducted or coordinated under Subsection (a) to the lieutenant
15 governor, the speaker of the house of representatives, and the
16 standing committees of each house of the legislature with primary
17 jurisdiction over criminal justice and corrections.

18 SECTION 3. (a) As soon as practicable after the effective
19 date of this Act, the Texas Department of Criminal Justice shall
20 enter into a memorandum of understanding as required by Section
21 501.098, Government Code, as added by this Act.

22 (b) Not later than January 1, 2010, the Texas Department of
23 Criminal Justice shall adopt and implement the policies required by
24 Section 501.099, Government Code, as added by this Act.

25 (c) Not later than January 1, 2010, the Texas Department of
26 Criminal Justice shall develop and implement the comprehensive
27 reentry and reintegration plan for offenders as required by Section

1 501.092, Government Code, as added by this Act.

2 SECTION 4. This Act does not make an appropriation. This
3 Act takes effect only if a specific appropriation for the
4 implementation of the Act is provided in a general appropriations
5 act of the 81st Legislature.

6 SECTION 5. This Act takes effect immediately if it receives
7 a vote of two-thirds of all the members elected to each house, as
8 provided by Section 39, Article III, Texas Constitution. If this
9 Act does not receive the vote necessary for immediate effect, this
10 Act takes effect September 1, 2009.

President of the Senate

Speaker of the House

I certify that H.B. No. 1711 was passed by the House on April 24, 2009, by the following vote: Yeas 101, Nays 38, 1 present, not voting; and that the House concurred in Senate amendments to H.B. No. 1711 on May 28, 2009, by the following vote: Yeas 134, Nays 9, 1 present, not voting.

Chief Clerk of the House

I certify that H.B. No. 1711 was passed by the Senate, with amendments, on May 20, 2009, by the following vote: Yeas 29, Nays 1.

Secretary of the Senate

APPROVED: _____

Date

Governor