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H.B. No. 3226

A BILL TO BE ENTITLED

AN ACT

relating to the payment of temporary housing costs for certain individuals who are released or are eligible for release on parole or to mandatory supervision.

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

SECTION 1. Subchapter E, Chapter 508, Government Code, is amended by adding Section 508.157 to read as follows:

Sec. 508.157. TEMPORARY HOUSING ON RELEASE. (a) This section applies only to inmates who are eligible for release on parole or to mandatory supervision and to releasees.

(b) The department may issue payment for the cost of temporary post-release housing for an inmate described by Subsection (a) or for a releasee that meets any conditions or requirements imposed by a parole panel and is located in the county of legal residence of the inmate or releasee.

(c) The amount of payment issued under Subsection (b) may not exceed an amount that is equal to the cost the department would incur to incarcerate the inmate for the period for which the payment is issued.

(d) The department shall issue payment under Subsection (b) out of funds appropriated by the legislature to the department for use in administering the parole system with respect to the housing of inmates on their release.

(e) The executive director of the Texas Department of

1 Criminal Justice shall adopt rules as necessary to implement this  
2 section, including rules that ensure that the food, hygiene, and  
3 clothing needs of an inmate or releasee on whose behalf payment is  
4 issued under this section are adequately met during the period for  
5 which the payment is issued.

6 (f) Not later than September 30, 2010, for the first report  
7 and September 30, 2011, for the second report, the department shall  
8 submit to the Criminal Justice Legislative Oversight Committee a  
9 report that covers the period of August 1 of the year preceding the  
10 year in which the report is submitted through September 1 of the  
11 year in which the report is submitted and that includes:

12 (1) the total number of inmates and releasees on whose  
13 behalf payment is issued under this section;

14 (2) the total dollar amount of payments issued under  
15 this section; and

16 (3) the county of release and the county of legal  
17 residence of each inmate or releasee on whose behalf payment is  
18 issued under this section.

19 (g) This subsection and Subsection (f) expire January 1,  
20 2012.

21 SECTION 2. Section 508.141(e), Government Code, is amended  
22 to read as follows:

23 (e) A parole panel may release an inmate on parole only  
24 when:

25 (1) arrangements have been made for the inmate's  
26 employment or for the inmate's maintenance and care, which may  
27 include the issuance of payment for the cost of temporary

1 post-release housing under Section 508.157; and

2           (2) the parole panel believes that the inmate is able  
3 and willing to fulfill the obligations of a law-abiding citizen.

4           SECTION 3. The executive director of the Texas Department  
5 of Criminal Justice shall adopt the rules required by Section  
6 508.157, Government Code, as added by this Act, not later than  
7 January 1, 2010.

8           SECTION 4. The change in law made by this Act applies only  
9 to an inmate released on parole on or after January 1, 2010.

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