

House Bill 1711
Senate Amendments
Section-by-Section Analysis

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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.

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

SECTION 2. Subchapter C, Chapter 501, Government Code, is amended by adding Sections 501.091, 501.092,

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501.098, 501.099, and 501.100 to read as follows:

Sec. 501.091. DEFINITIONS. In this subchapter:

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

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

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

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

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

(2) programs that address the assessed needs of each offender;

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

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

(5) subject to Subsection (c), the sharing of information

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

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between local coordinators, persons with whom the department contracts under Section 495.028, and other providers of services as necessary to adequately assess and address the needs of each offender.

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

(1) the offender consents to the disclosure; and

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

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

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

(2) provide offenders with:

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

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

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

(D) employment training;

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

(F) parenting and relationship building classes; and

(3) be designed to build for former offenders post-release and post-discharge support from the community into which an offender is released or discharged.

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including support from agencies and organizations within that community.

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

Sec. 501.098. REENTRY TASK FORCE. (a) The department by rule shall enter into a memorandum of understanding with the following entities to establish a reentry task force **in the office of the governor:**

- (1) the Texas Youth Commission;
- (2) the Texas Workforce Commission;
- (3) the Department of Public Safety;
- (4) the Texas Department of Housing and Community Affairs;
- (5) the Texas Correctional Office on Offenders with Medical or Mental Impairments;
- (6) the Health and Human Services Commission;
- (7) the Texas Judicial Council; and
- (8) an organization selected by the department that advocates for or provides reentry or reintegration services to offenders following their release or discharge from a correctional facility.

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

- (1) identify gaps in services for offenders following their release or discharge to rural or urban communities in the

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including support from agencies and organizations within that community.

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

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

- (1) the Texas Youth Commission;
- (2) the Texas Workforce Commission;
- (3) the Department of Public Safety;
- (4) the Texas Department of Housing and Community Affairs;
- (5) the Texas Correctional Office on Offenders with Medical or Mental Impairments;
- (6) the Health and Human Services Commission;
- (7) the Texas Judicial Council; and
- (8) an organization selected by the department that advocates for or provides reentry or reintegration services to offenders following their release or discharge from a correctional facility.

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

- (1) identify gaps in services for offenders following their release or discharge to rural or urban communities in the

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areas of employment, housing, substance abuse treatment, medical care, and any other areas in which the offenders need special services; and

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

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

(b) The department, when determining in which correctional facility to house an offender, shall consider the best interest of the offender's family and, if possible, house the offender in, or in proximity to, the county in which the offender's family resides.

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

Sec. 501.100. RECIDIVISM STUDY; REPORT. (a) The department shall conduct and coordinate research to determine whether the comprehensive reentry and

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areas of employment, housing, substance abuse treatment, medical care, and any other areas in which the offenders need special services; and

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

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

(b) The department, when determining in which correctional facility to house an offender, shall consider the best interest of the offender's family and, if possible, house the offender in, or in proximity to, the county in which the offender's family resides.

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reintegration plan developed under Section 501.092 and the policies adopted under Section 501.099 to encourage family unity and participation reduce recidivism rates.
(b) Not later than September 1 of each even-numbered year, the department shall deliver a report of the results of research conducted or coordinated under Subsection (a) to the lieutenant governor, the speaker of the house of representatives, and the standing committees of each house of the legislature with primary jurisdiction over criminal justice and corrections.

No equivalent provision.

SECTION 3. (a) As soon as practicable after the effective date of this Act, the Texas Department of Criminal Justice shall enter into a memorandum of understanding as required by Section 501.098, Government Code, as added by this Act.
(b) Not later than January 1, 2010, the Texas Department of Criminal Justice shall adopt and implement the policies required by Section 501.099, Government Code, as added by this Act.
(c) Not later than January 1, 2010, the Texas Department of Criminal Justice shall develop and

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reintegration plan developed under Section 501.092 and the policies adopted under Section 501.099 to encourage family unity and participation reduce recidivism rates.
(b) Not later than September 1 of each even-numbered year, the department shall deliver a report of the results of research conducted or coordinated under Subsection (a) to the lieutenant governor, the speaker of the house of representatives, and the standing committees of each house of the legislature with primary jurisdiction over criminal justice and corrections.

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

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implement the comprehensive reentry and reintegration plan for offenders as required by Section 501.092, Government Code, as added by this Act.

SECTION 4. This Act takes effect immediately if it receives a vote of two-thirds of all the members elected to each house, as provided by Section 39, Article III, Texas Constitution. If this Act does not receive the vote necessary for immediate effect, this Act takes effect September 1, 2009.

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