

By: Turner

H.B. No. 2143

A BILL TO BE ENTITLED

AN ACT

1  
2 relating to the conditions of community service of certain  
3 offenders and the reentry and reintegration of offenders released  
4 or discharged from the Texas Department of Criminal Justice.

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

6 SECTION 1. Section 11, Article 42.12, Code of Criminal  
7 Procedure, is amended by adding Subsection (m) to read as follows:

8 (m) If the judge places a defendant on community  
9 supervision, the judge shall require the defendant to provide to  
10 the judge a copy of the defendant's driver's license or personal  
11 identification card issued by this state, another state, or the  
12 federal government. If the judge determines that the defendant  
13 does not possess a valid driver's license or identification card,  
14 the judge shall require as a condition of community supervision  
15 that the defendant obtain, not later than the 30th day after the  
16 date the judge places the defendant on community supervision, a  
17 driver's license or identification card. The judge may require a  
18 community supervision and corrections department or other officer  
19 supervising the defendant to assist the defendant in obtaining a  
20 driver's license or identification card.

21 SECTION 2. Section 495.028, Government Code, as added by  
22 Chapter 643 (H.B. 1711), Acts of the 81st Legislature, Regular  
23 Session, 2009, is reenacted to read as follows:

24 Sec. 495.028. IMPLEMENTATION OF REENTRY AND REINTEGRATION

1 PLAN. (a) The department may contract and coordinate with private  
2 vendors, units of local government, or other entities to implement  
3 the comprehensive reentry and reintegration plan developed under  
4 Section 501.092, including contracting to:

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

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

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

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

21 SECTION 3. Section 501.091, Government Code, as added by  
22 Chapter 643 (H.B. 1711), Acts of the 81st Legislature, Regular  
23 Session, 2009, is reenacted to read as follows:

24 Sec. 501.091. DEFINITIONS. In this subchapter:

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

27 (2) "Offender" means an inmate or state jail defendant

1 confined in a correctional facility.

2 SECTION 4. Section 501.092, Government Code, as added by  
3 Chapter 643 (H.B. 1711), Acts of the 81st Legislature, Regular  
4 Session, 2009, is reenacted to read as follows:

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

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

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

15 (2) programs that address the assessed needs of  
16 offenders;

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

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

24 (5) subject to Subsection (c), the sharing of  
25 information between local coordinators, persons with whom the  
26 department contracts under Section 495.028, and other providers of  
27 services as necessary to adequately assess and address the needs of

1 each offender.

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

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

5 (2) the disclosure does not violate the Health  
6 Insurance Portability and Accountability Act of 1996 (Pub. L. No.  
7 104-191) or other state or federal law.

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

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

13 (2) provide offenders with:

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

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

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

20 (D) employment training;

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

23 (F) parenting and relationship building classes;

24 and

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

1 agencies and organizations within that community.

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

7 SECTION 5. Section 501.098, Government Code, as added by  
8 Chapter 643 (H.B. 1711), Acts of the 81st Legislature, Regular  
9 Session, 2009, is reenacted and amended to read as follows:

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

- 15 (1) the Texas Veterans [~~Youth~~] Commission;
- 16 (2) the Texas Workforce Commission;
- 17 (3) the Department of Public Safety;
- 18 (4) the Texas Department of Housing and Community  
19 Affairs;
- 20 (5) the Texas Correctional Office on Offenders with  
21 Medical or Mental Impairments;
- 22 (6) the Health and Human Services Commission;
- 23 (7) the Judicial Advisory Council to the community  
24 justice assistance division and the board [~~Texas Judicial Council~~];  
25 [~~and~~]
- 26 (8) a faith-based organization selected by the  
27 department; and

1           (9) other organizations, agencies, or individuals [~~an~~  
2 ~~organization~~] selected by the department that advocate [~~advocates~~]  
3 for or have significant interest in the successful [~~provides~~]  
4 reentry and [~~or~~] reintegration of [~~services to~~] offenders following  
5 their release or discharge from a correctional facility.

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

8           (1) identify applicable laws, ordinances, policies,  
9 rules, or regulations of the federal government, this state, or a  
10 political subdivision of this state that affect an offender's  
11 successful reentry and reintegration [~~gaps in services for~~  
12 ~~offenders~~] following the offender's [~~their~~] release or discharge,  
13 including laws, ordinances, policies, rules, or regulations  
14 relating to an offender's access to or ability to obtain, in [~~to~~]  
15 rural or urban communities, [~~in the areas of~~] employment, housing,  
16 substance abuse treatment, medical care, government issued  
17 identification documents, and any other [~~areas in which the~~  
18 ~~offenders need~~] special services; [~~and~~]

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

24           (3) evaluate efforts by the department, county jails,  
25 community supervision and corrections departments, and the courts  
26 of this state to assist offenders in obtaining government issued  
27 identification.

1 SECTION 6. Section 501.100, Government Code, as added by  
2 Chapter 643 (H.B. 1711), Acts of the 81st Legislature, Regular  
3 Session, 2009, is reenacted and amended to read as follows:

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

10 (b) Not later than September 1 of each even-numbered year,  
11 the department shall deliver a report of the activities of the  
12 reentry task force established under Section 501.098 and the  
13 results of research conducted or coordinated under Subsection (a)  
14 to the lieutenant governor, the speaker of the house of  
15 representatives, and the standing committees of each house of the  
16 legislature with primary jurisdiction over criminal justice and  
17 corrections.

18 SECTION 7. Section 501.099, Government Code, as added by  
19 Chapter 643 (H.B. 1711), Acts of the 81st Legislature, Regular  
20 Session, 2009, is repealed.

21 SECTION 8. The change in law made by Section 11(m), Article  
22 42.12, Code of Criminal Procedure, as added by this Act, applies to  
23 a person placed on community supervision on or after the effective  
24 date of this Act regardless of when the person committed the offense  
25 for which the person is placed on community supervision.

26 SECTION 9. Not later than January 1, 2012, the Texas  
27 Department of Criminal Justice shall:

1           (1) enter into memorandums of understanding and  
2 establish the reentry task force as provided by Section 501.098,  
3 Government Code, as reenacted and amended by this Act; and

4           (2) develop and implement the comprehensive reentry  
5 and reintegration plan for offenders as required by Section  
6 501.092, Government Code, as reenacted by this Act.

7           SECTION 10. This Act takes effect immediately if it  
8 receives a vote of two-thirds of all the members elected to each  
9 house, as provided by Section 39, Article III, Texas Constitution.  
10 If this Act does not receive the vote necessary for immediate  
11 effect, this Act takes effect September 1, 2011.