

1-1 By: Whitmire, Nichols S.B. No. 213  
 1-2 (In the Senate - Filed March 5, 2013; March 12, 2013, read  
 1-3 first time and referred to Committee on Criminal Justice;  
 1-4 March 25, 2013, reported adversely, with favorable Committee  
 1-5 Substitute by the following vote: Yeas 5, Nays 0; March 25, 2013,  
 1-6 sent to printer.)

1-7 COMMITTEE VOTE

	Yea	Nay	Absent	PNV
1-8				
1-9	X			
1-10	X			
1-11			X	
1-12	X			
1-13			X	
1-14	X			
1-15	X			

1-16 COMMITTEE SUBSTITUTE FOR S.B. No. 213 By: Whitmire

1-17 A BILL TO BE ENTITLED  
 1-18 AN ACT

1-19 relating to the continuation and functions of the Texas Board of  
 1-20 Criminal Justice, the Texas Department of Criminal Justice, and the  
 1-21 Windham School District and to the functions of the Board of Pardons  
 1-22 and Paroles and the Correctional Managed Health Care Committee.

1-23 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

1-24 SECTION 1. Section 492.012, Government Code, is amended to  
 1-25 read as follows:

1-26 Sec. 492.012. SUNSET PROVISION. The Texas Board of  
 1-27 Criminal Justice and the Texas Department of Criminal Justice are  
 1-28 subject to Chapter 325 (Texas Sunset Act). Unless continued in  
 1-29 existence as provided by that chapter, the board and the department  
 1-30 are abolished September 1, 2021 [~~2013~~].

1-31 SECTION 2. Chapter 493, Government Code, is amended by  
 1-32 adding Section 493.031 to read as follows:

1-33 Sec. 493.031. CASE MANAGEMENT COMMITTEES. (a) Each  
 1-34 facility under the oversight of the correctional institutions  
 1-35 division shall establish a case management committee to assess each  
 1-36 inmate in the facility and ensure the inmate is receiving  
 1-37 appropriate services or participating in appropriate programs. The  
 1-38 case management committee shall:

1-39 (1) review each individualized treatment plan adopted  
 1-40 under Section 508.152 for an inmate in the facility and, as  
 1-41 applicable, discuss with the inmate a possible treatment plan,  
 1-42 including participation in any program or service that may be  
 1-43 available through the department, the Windham School District, or  
 1-44 any volunteer organization; and

1-45 (2) meet with each inmate in the facility at the time  
 1-46 of the inmate's initial placement in the facility and at any time in  
 1-47 which the committee seeks to reclassify the inmate based on the  
 1-48 inmate's refusal to participate in a program or service recommended  
 1-49 by the committee.

1-50 (b) A case management committee must include the members of  
 1-51 the unit classification committee. In addition to those members, a  
 1-52 case management committee may include any of the following members,  
 1-53 based on availability and inmate needs:

1-54 (1) an employee whose primary duty involves providing  
 1-55 rehabilitation and reintegration programs or services;

1-56 (2) an employee whose primary duty involves providing  
 1-57 vocational training or educational services to inmates;

1-58 (3) an employee whose primary duty involves providing  
 1-59 medical care or mental health care treatment to inmates; or

1-60 (4) a representative of a faith-based or volunteer

2-1 organization.

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

2-5 Sec. 501.092. COMPREHENSIVE REENTRY AND REINTEGRATION PLAN  
2-6 FOR OFFENDERS. (a) The department shall develop and adopt a  
2-7 comprehensive plan to reduce recidivism and ensure the successful  
2-8 reentry and reintegration of offenders into the community following  
2-9 an offender's release or discharge from a correctional facility.

2-10 (b) The reentry and reintegration plan adopted [~~developed~~]  
2-11 under this section must [~~provide for~~]:

2-12 (1) incorporate the use of the risk and needs  
2-13 assessment instrument adopted under Section 501.0921 [~~an~~]  
2-14 assessment of offenders entering a correctional facility to  
2-15 determine which skills the offender needs to develop to be  
2-16 successful in the community following release or discharge;

2-17 (2) provide for programs that address the assessed  
2-18 needs of offenders;

2-19 (3) provide for a comprehensive network of transition  
2-20 programs to address the needs of offenders released or discharged  
2-21 from a correctional facility;

2-22 (4) identify and define the transition services that  
2-23 are to be provided by the department and which offenders are  
2-24 eligible for those services;

2-25 (5) coordinate the provision of reentry and  
2-26 reintegration services provided to offenders through state-funded  
2-27 and volunteer programs across divisions of the department to:

2-28 (A) target eligible offenders efficiently; and

2-29 (B) ensure maximum use of existing facilities,  
2-30 personnel, equipment, supplies, and other resources;

2-31 (6) provide for collecting and maintaining data  
2-32 regarding the number of offenders who received reentry and  
2-33 reintegration services and the number of offenders who were  
2-34 eligible for but did not receive those services, including  
2-35 offenders who did not participate in those services;

2-36 (7) provide for evaluating the effectiveness of the  
2-37 reentry and reintegration services provided to offenders by  
2-38 collecting, maintaining, and reporting outcome information,  
2-39 including recidivism data as applicable;

2-40 (8) identify [~~(4) the identification of~~] providers of  
2-41 existing local programs and transitional services with whom the  
2-42 department may contract under Section 495.028 to implement the  
2-43 reentry and reintegration plan; and

2-44 (9) [~~(5)~~] subject to Subsection (f) [~~(e)~~], provide for  
2-45 the sharing of information between local coordinators, persons with  
2-46 whom the department contracts under Section 495.028, and other  
2-47 providers of services as necessary to adequately assess and address  
2-48 the needs of each offender.

2-49 (c) The department, in consultation with the Board of  
2-50 Pardons and Paroles and the Windham School District, shall  
2-51 establish the role of each entity in providing reentry and  
2-52 reintegration services. The reentry and reintegration plan adopted  
2-53 under this section must include, with respect to the department,  
2-54 the Board of Pardons and Paroles, and the Windham School District:

2-55 (1) the reentry and reintegration responsibilities  
2-56 and goals of each entity, including the duties of each entity to  
2-57 administer the risk and needs assessment instrument adopted under  
2-58 Section 501.0921;

2-59 (2) the strategies for achieving the goals identified  
2-60 by each entity; and

2-61 (3) specific timelines for each entity to implement  
2-62 the components of the reentry and reintegration plan for which the  
2-63 entity is responsible.

2-64 (d) The department shall regularly evaluate the reentry and  
2-65 reintegration plan adopted under this section. Not less than once  
2-66 in each three-year period following the adoption of the plan, the  
2-67 department shall update the plan.

2-68 (e) The department shall provide a copy of the initial  
2-69 reentry and reintegration plan adopted under this section and each

3-1 evaluation and revision of the plan to the board, the Windham School  
3-2 District, and the Board of Pardons and Paroles.

3-3 (f) An offender's personal health information may be  
3-4 disclosed under Subsection (b)(9) [~~(b)(5)~~] only if:

- 3-5 (1) the offender consents to the disclosure; and
- 3-6 (2) the disclosure does not violate the Health
- 3-7 Insurance Portability and Accountability Act of 1996 (Pub. L. No.
- 3-8 104-191) or other state or federal law.

3-9 (g) [~~(d)~~] The programs provided under Subsections (b)(2)  
3-10 and (3) must:

3-11 (1) be implemented by highly skilled staff who are  
3-12 experienced in working with inmate reentry and reintegration  
3-13 programs;

3-14 (2) provide offenders with:  
3-15 (A) individualized case management and a full  
3-16 continuum of care;

3-17 (B) life-skills training, including information  
3-18 about budgeting, money management, nutrition, and exercise;

3-19 (C) education and, if an offender has a learning  
3-20 disability, special education;

3-21 (D) employment training;

3-22 (E) appropriate treatment programs, including  
3-23 substance abuse and mental health treatment programs; and

3-24 (F) parenting and relationship building classes;  
3-25 and

3-26 (3) be designed to build for former offenders  
3-27 post-release and post-discharge support from the community into  
3-28 which an offender is released or discharged, including support from  
3-29 agencies and organizations within that community.

3-30 (h) [~~(e)~~] In developing the reentry and reintegration plan  
3-31 adopted under this section, the department shall ensure that the  
3-32 reentry program for long-term inmates under Section 501.096 and the  
3-33 reintegration services provided under Section 501.097 are  
3-34 incorporated into the plan.

3-35 (i) Not later than September 1 of each even-numbered year,  
3-36 the department shall deliver a report of the results of evaluations  
3-37 conducted under Subsection (b)(7) to the lieutenant governor, the  
3-38 speaker of the house of representatives, and each standing  
3-39 committee of the senate and house of representatives having primary  
3-40 jurisdiction over the department.

3-41 SECTION 4. Subchapter C, Chapter 501, Government Code, is  
3-42 amended by adding Section 501.0921 to read as follows:

3-43 Sec. 501.0921. RISK AND NEEDS ASSESSMENT INSTRUMENT.

3-44 (a) The department shall adopt a standardized instrument to  
3-45 assess, based on criminogenic factors, the risks and needs of each  
3-46 offender within the adult criminal justice system.

3-47 (b) The department shall make the risk and needs assessment  
3-48 instrument available for use by each community supervision and  
3-49 corrections department established under Chapter 76.

3-50 (c) The department and the Windham School District shall  
3-51 jointly determine the duties of each entity with respect to  
3-52 implementing the risk and needs assessment instrument in order to  
3-53 efficiently use existing assessment processes.

3-54 (d) The department shall specify a timeline for the testing,  
3-55 adoption, and implementation of the risk and needs assessment  
3-56 instrument. The department's timeline must provide for the use of  
3-57 the instrument to be fully implemented not later than January 1,  
3-58 2015. This subsection expires January 1, 2016.

3-59 SECTION 5. Section 501.098, Government Code, as added by  
3-60 Chapter 643 (H.B. 1711), Acts of the 81st Legislature, Regular  
3-61 Session, 2009, is reenacted and amended to read as follows:

3-62 Sec. 501.098. REENTRY TASK FORCE. (a) The department  
3-63 shall establish a reentry task force and shall coordinate the work  
3-64 of the task force with the Office of Court Administration. The  
3-65 executive director shall ensure that the task force includes  
3-66 representatives of [ , and by rule shall enter into a memorandum of  
3-67 understanding with] the following entities [~~to establish a reentry~~  
3-68 task force]:

- 3-69 (1) the Texas Juvenile Justice Department [~~Youth~~

4-1 ~~Commission~~];

4-2 (2) the Texas Workforce Commission;

4-3 (3) the Department of Public Safety;

4-4 (4) the Texas Department of Housing and Community

4-5 Affairs;

4-6 (5) the Texas Correctional Office on Offenders with

4-7 Medical or Mental Impairments;

4-8 (6) the Health and Human Services Commission;

4-9 (7) the Texas Judicial Council; ~~and~~

4-10 (8) the Board of Pardons and Paroles;

4-11 (9) the Windham School District;

4-12 (10) the Texas Commission on Jail Standards;

4-13 (11) the Department of State Health Services;

4-14 (12) the Texas Court of Criminal Appeals;

4-15 (13) the County Judges and Commissioners Association

4-16 of Texas;

4-17 (14) the Sheriffs' Association of Texas;

4-18 (15) the Texas District and County Attorneys

4-19 Association; and

4-20 (16) the Texas Conference of Urban Counties.

4-21 (b) The executive director shall appoint a representative

4-22 from each of the following entities to serve on the reentry task

4-23 force:

4-24 (1) a community supervision and corrections

4-25 department established under Chapter 76;

4-26 (2) an organization that advocates on behalf of

4-27 offenders;

4-28 (3) a local reentry planning entity; and

4-29 (4) a statewide ~~an~~ organization ~~selected by the~~

4-30 ~~department~~ that advocates for or provides reentry or reintegration

4-31 services to offenders following their release or discharge from a

4-32 correctional facility.

4-33 (c) To the extent feasible, the executive director shall

4-34 ensure that the membership of the reentry task force reflects the

4-35 geographic diversity of this state and includes members of both

4-36 rural and urban communities.

4-37 (d) The executive director may appoint additional members

4-38 as the executive director determines necessary.

4-39 (e) ~~[(b)]~~ The reentry task force shall ~~established under~~

4-40 ~~Subsection (a) may~~:

4-41 (1) identify gaps in services for offenders following

4-42 their release or discharge to rural or urban communities in the

4-43 areas of employment, housing, substance abuse treatment, medical

4-44 care, and any other areas in which the offenders need special

4-45 services; and

4-46 (2) coordinate with providers of existing local

4-47 reentry and reintegration programs, including programs operated by

4-48 a municipality or county, to make recommendations regarding the

4-49 provision of comprehensive services to offenders following their

4-50 release or discharge to rural or urban communities.

4-51 (f) In performing its duties under Subsection (e), the

4-52 reentry task force shall:

4-53 (1) identify:

4-54 (A) specific goals of the task force;

4-55 (B) specific deliverables of the task force,

4-56 including the method or format in which recommendations under

4-57 Subsection (e)(2) will be made available; and

4-58 (C) the intended audience or recipients of the

4-59 items described by Paragraph (B);

4-60 (2) specify the responsibilities of each entity

4-61 represented on the task force regarding the goals of the task force;

4-62 and

4-63 (3) specify a timeline for achieving the task force's

4-64 goals and producing the items described by Subdivision (1)(B).

4-65 SECTION 6. Section 501.131, Government Code, is amended to

4-66 read as follows:

4-67 Sec. 501.131. DEFINITIONS [~~DEFINITION~~]. In this

4-68 subchapter:

4-69 (1) "Committee" [~~,"committee"~~] means the Correctional

5-1 Managed Health Care Committee.

5-2 (2) "Contracting entity" means an entity that  
 5-3 contracts with the department to provide health care services under  
 5-4 this chapter.

5-5 (3) "Medical school" means the medical school at The  
 5-6 University of Texas Health Science Center at Houston, the medical  
 5-7 school at The University of Texas Health Science Center at Dallas,  
 5-8 the medical school at The University of Texas Health Science Center  
 5-9 at San Antonio, The University of Texas Medical Branch at  
 5-10 Galveston, the Texas Tech University Health Sciences Center, the  
 5-11 Baylor College of Medicine, the college of osteopathic medicine at  
 5-12 the University of North Texas Health Science Center at Fort Worth,  
 5-13 or the Texas A&M University Medical Program.

5-14 SECTION 7. Section 501.133, Government Code, is amended by  
 5-15 amending Subsection (a) and adding Subsection (c) to read as  
 5-16 follows:

5-17 (a) The committee consists of five voting members and one  
 5-18 nonvoting member as follows:

5-19 (1) one member employed full-time by the department,  
 5-20 appointed by the executive director;

5-21 (2) two members who are physicians, each of whom is  
 5-22 [one member who is a physician and] employed full-time by a medical  
 5-23 school [The University of Texas Medical Branch at Galveston],  
 5-24 appointed by the governor [president of the medical branch];

5-25 (3) [one member who is a physician and employed  
 5-26 full-time by the Texas Tech University Health Sciences Center,  
 5-27 appointed by the president of the university;

5-28 [(-4)] two public members appointed by the governor who  
 5-29 are not affiliated with the department or with any contracting  
 5-30 entity [with which the committee has contracted to provide health  
 5-31 care services under this chapter], at least one of whom is licensed  
 5-32 to practice medicine in this state; and

5-33 (4) [(-5)] the state Medicaid director or a person  
 5-34 employed full-time by the Health and Human Services Commission and  
 5-35 appointed by the Medicaid director, to serve ex officio as a  
 5-36 nonvoting member.

5-37 (c) A committee member appointed under Subsection (a)(4)  
 5-38 shall assist the department with developing the expertise needed to  
 5-39 accurately assess health care costs and determine appropriate  
 5-40 rates.

5-41 SECTION 8. Section 501.136, Government Code, is amended to  
 5-42 read as follows:

5-43 Sec. 501.136. APPOINTMENT; TERMS OF OFFICE; VACANCY [FOR  
 5-44 PUBLIC MEMBERS]. (a) The two committee members appointed under  
 5-45 Section 501.133(a)(2) serve concurrent four-year terms expiring on  
 5-46 February 1 following the fourth anniversary of the date of  
 5-47 appointment. On the expiration of the terms, the governor shall  
 5-48 appoint one member from each of the next two medical schools that,  
 5-49 based on an alphabetical listing of the names of the medical  
 5-50 schools, follow the medical schools that employ the vacating  
 5-51 members. A medical school may not be represented at any given time  
 5-52 by more than one member appointed under Section 501.133(a)(2).

5-53 (b) Public [Committee] members appointed under Section  
 5-54 501.133(a)(3) [by the governor] serve staggered four-year terms,  
 5-55 with the term of one of those members expiring on February 1 of each  
 5-56 odd-numbered year.

5-57 (c) Other committee members serve at the will of the  
 5-58 appointing official or until termination of the member's employment  
 5-59 with the entity the member represents.

5-60 (d) If a vacancy occurs, the appropriate appointing  
 5-61 authority shall appoint a person, in the same manner as the original  
 5-62 appointment, to serve for the remainder of the unexpired term. If a  
 5-63 vacancy occurs in a position appointed under Section 501.133(a)(2),  
 5-64 the governor shall appoint a physician employed by the same medical  
 5-65 school as that of the vacating member.

5-66 SECTION 9. Section 501.146, Government Code, is amended by  
 5-67 amending Subsection (a) and adding Subsection (c) to read as  
 5-68 follows:

5-69 (a) The committee shall develop and approve a managed health

6-1 care plan for all persons confined by the department that  
6-2 [~~includes~~]:

6-3 (1) specifies the types and general level of care to be  
6-4 provided to [~~the establishment of a managed health care provider~~  
6-5 ~~network of physicians and hospitals that will serve the department~~  
6-6 ~~as the exclusive health care provider for~~] persons confined [~~in~~  
6-7 ~~institutions operated~~] by the department; and

6-8 (2) ensures continued access to needed care in the  
6-9 correctional health care system [~~cost containment studies;~~

6-10 [~~(3) care case management and utilization management~~  
6-11 ~~studies performed for the department; and~~

6-12 [~~(4) concerning the establishment of criteria for~~  
6-13 ~~hospitals, home health providers, or hospice providers, a provision~~  
6-14 ~~requiring the managed health care plan to accept certification by~~  
6-15 ~~the Medicare program under Title XVIII, Social Security Act (42~~  
6-16 ~~U.S.C. Section 1395 et seq.), and its subsequent amendments, as an~~  
6-17 ~~alternative to accreditation by the Joint Commission on~~  
6-18 ~~Accreditation of Healthcare Organizations].~~

6-19 (c) The committee shall provide expertise to the  
6-20 department, and may appoint subcommittees to assist the department,  
6-21 in developing policies and procedures for implementation of the  
6-22 managed health care plan.

6-23 SECTION 10. Section 501.147, Government Code, is amended to  
6-24 read as follows:

6-25 Sec. 501.147. POWERS AND DUTIES OF DEPARTMENT; AUTHORITY TO  
6-26 CONTRACT. (a) The department shall:

6-27 (1) establish a managed health care provider network  
6-28 of physicians and hospitals to provide health care to persons  
6-29 confined by the department; and

6-30 (2) evaluate and recommend to the board sites for new  
6-31 medical facilities that appropriately support the managed health  
6-32 care provider network.

6-33 (b) The department may:

6-34 (1) communicate with the legislature regarding the  
6-35 financial needs of the correctional health care system;

6-36 (2) monitor the expenditures of a contracting entity  
6-37 to ensure that those expenditures comply with applicable statutory  
6-38 and contractual requirements;

6-39 (3) address problems found through monitoring  
6-40 activities by contracting entities, including requiring corrective  
6-41 action if care does not meet expectations as determined by those  
6-42 monitoring activities;

6-43 (4) identify and address long-term needs of the  
6-44 correctional health care system;

6-45 (5) [~~enter into a~~] contract with any entity to fully  
6-46 implement the managed health care plan under this subchapter,  
6-47 including contracting for health care services and the integration  
6-48 of those services into the managed health care provider network;

6-49 (6) contract with an individual for financial  
6-50 consulting services and make use of financial monitoring of the  
6-51 managed health care plan to assist the department in determining an  
6-52 accurate capitation rate; and

6-53 (7) contract with an individual for actuarial  
6-54 consulting services to assist the department in determining trends  
6-55 in the health of the inmate population and the impact of those  
6-56 trends on future financial needs.

6-57 (c) In contracting for the implementation of the managed  
6-58 health care plan, the department shall:

6-59 (1) [~~A contract entered into under this subsection~~  
6-60 ~~must~~] include provisions necessary to ensure that the contracting  
6-61 entity [~~The University of Texas Medical Branch at Galveston~~] is  
6-62 eligible for and makes reasonable efforts to participate in the  
6-63 purchase of prescription drugs under Section 340B, Public Health  
6-64 Service Act (42 U.S.C. Section 256b); and [~~-~~]

6-65 (2) [~~(b) The department may contract with other~~  
6-66 ~~governmental entities for similar health care services and~~  
6-67 ~~integrate those services into the managed health care provider~~  
6-68 ~~network.~~

6-69 [(c) ~~In contracting for implementation of the managed~~

7-1 ~~health care plan, the department,] to the extent possible, [shall]~~  
 7-2 integrate the managed health care provider network with the  
 7-3 ~~[public] medical schools [of this state] and the component and~~  
 7-4 ~~affiliated hospitals of those medical schools. [The contract must~~  
 7-5 ~~authorize The University of Texas Medical Branch at Galveston to~~  
 7-6 ~~contract directly with the Texas Tech University Health Sciences~~  
 7-7 ~~Center for the provision of health care services. The Texas Tech~~  
 7-8 ~~University Health Sciences Center shall cooperate with The~~  
 7-9 ~~University of Texas Medical Branch at Galveston in its efforts to~~  
 7-10 ~~participate in the purchase of prescription drugs under Section~~  
 7-11 ~~340B, Public Health Service Act (42 U.S.C. Section 256b).]~~

7-12 (d) For services that a governmental entity ~~[the public~~  
 7-13 ~~medical schools and their components and affiliates]~~ cannot  
 7-14 provide, the department shall initiate a competitive bidding  
 7-15 process for contracts with other providers for medical care to  
 7-16 persons confined by the department.

7-17 ~~[(e) The department, in cooperation with the committee, may~~  
 7-18 ~~contract with an individual or firm for a biennial review of, and~~  
 7-19 ~~report concerning, expenditures under the managed health care plan.~~  
 7-20 ~~The review must be conducted by an individual or firm experienced in~~  
 7-21 ~~auditing the state's Medicaid expenditures and other medical~~  
 7-22 ~~expenditures. Not later than September 1 of each even-numbered~~  
 7-23 ~~year, the department shall submit a copy of a report under this~~  
 7-24 ~~section to the health care providers that are part of the managed~~  
 7-25 ~~health care provider network established under this subchapter, the~~  
 7-26 ~~Legislative Budget Board, the governor, the lieutenant governor,~~  
 7-27 ~~and the speaker of the house of representatives.]~~

7-28 SECTION 11. Subchapter E, Chapter 501, Government Code, is  
 7-29 amended by adding Section 501.1471 to read as follows:

7-30 Sec. 501.1471. REPORT. (a) Not later than the 30th day  
 7-31 after the end of each fiscal quarter, the department shall submit to  
 7-32 the Legislative Budget Board and the governor a report that  
 7-33 contains, for the preceding quarter:

7-34 (1) the actual and projected expenditures for the  
 7-35 correctional health care system, including expenditures for unit  
 7-36 and psychiatric care, hospital and clinical care, and pharmacy  
 7-37 services;

7-38 (2) health care utilization and acuity data;

7-39 (3) other health care information as determined by the  
 7-40 governor and the Legislative Budget Board; and

7-41 (4) the amount of cost savings realized as a result of  
 7-42 contracting for health care services under this subchapter with a  
 7-43 provider other than the Texas Tech University Health Sciences  
 7-44 Center and The University of Texas Medical Branch.

7-45 (b) A contract entered into by the department for the  
 7-46 provision of health care services must require the contracting  
 7-47 entity to provide the department with necessary documentation to  
 7-48 fulfill the requirements of this section.

7-49 SECTION 12. Subsections (a) and (b), Section 501.148,  
 7-50 Government Code, are amended to read as follows:

7-51 (a) The committee may:

7-52 (1) develop statewide policies for the delivery of  
 7-53 correctional health care;

7-54 (2) ~~[communicate with the department and the~~  
 7-55 ~~legislature regarding the financial needs of the correctional~~  
 7-56 ~~health care system;~~

7-57 ~~[(3) in conjunction with the department, monitor the~~  
 7-58 ~~expenditures of The University of Texas Medical Branch at Galveston~~  
 7-59 ~~and the Texas Tech University Health Sciences Center to ensure that~~  
 7-60 ~~those expenditures comply with applicable statutory and~~  
 7-61 ~~contractual requirements;~~

7-62 ~~[(4)]~~ serve as a dispute resolution forum in the event  
 7-63 of a disagreement relating to inmate health care services between:

7-64 (A) the department and the health care providers;

7-65 or

7-66 (B) contracting entities ~~[The University of~~  
 7-67 ~~Texas Medical Branch at Galveston and the Texas Tech University~~  
 7-68 ~~Health Sciences Center;~~

7-69 ~~[(5) address problems found through monitoring~~

8-1 ~~activities by the department and health care providers, including~~  
8-2 ~~requiring corrective action if care does not meet expectations as~~  
8-3 ~~determined by those monitoring activities;~~

8-4 ~~[(6) identify and address long-term needs of the~~  
8-5 ~~correctional health care system]; and~~

8-6 ~~(3) [(7)] report to the board [Texas Board of Criminal~~  
8-7 ~~Justice] at the board's regularly scheduled meeting each quarter on~~  
8-8 ~~the committee's policy recommendations[, the financial status of~~  
8-9 ~~the correctional health care system, and corrective actions taken~~  
8-10 ~~by or required of the department or the health care providers].~~

8-11 (b) The committee shall advise the department and the board  
8-12 as necessary, including providing medical expertise and assisting  
8-13 the department and the board in identifying system needs and  
8-14 resolving contract disputes [evaluate and recommend to the board  
8-15 sites for new medical facilities that appropriately support the  
8-16 managed health care provider network].

8-17 SECTION 13. Subsections (a) and (b), Section 501.1485,  
8-18 Government Code, are amended to read as follows:

8-19 (a) The department, in cooperation with any contracting  
8-20 entity that is a medical school [The University of Texas Medical  
8-21 Branch at Galveston and the Texas Tech University Health Sciences  
8-22 Center], shall develop and implement a training program for  
8-23 corrections medication aides that uses a curriculum specific to  
8-24 administering medication in a correctional setting.

8-25 (b) In developing the curriculum for the training program,  
8-26 the department and the medical school~~[, The University of Texas~~  
8-27 ~~Medical Branch at Galveston, and the Texas Tech University Health~~  
8-28 ~~Sciences Center] shall:~~

8-29 (1) consider the content of the curriculum developed  
8-30 by the American Correctional Association for certified corrections  
8-31 nurses; and

8-32 (2) modify as appropriate the content of the  
8-33 curriculum developed under Chapter 242, Health and Safety Code, for  
8-34 medication aides administering medication in convalescent and  
8-35 nursing homes and related institutions to produce content suitable  
8-36 for administering medication in a correctional setting.

8-37 SECTION 14. Subchapter E, Chapter 508, Government Code, is  
8-38 amended by adding Section 508.1411 to read as follows:

8-39 Sec. 508.1411. NOTIFICATION OF PAROLE PANEL DECISION.

8-40 (a) For each decision of a parole panel granting or denying the  
8-41 release of an inmate on parole, or denying the release of an inmate  
8-42 on mandatory supervision, the parole panel shall:

8-43 (1) produce a written statement, in clear and  
8-44 understandable language, that explains:

8-45 (A) the decision; and

8-46 (B) the reasons for the decision only to the  
8-47 extent those reasons relate specifically to the inmate;

8-48 (2) provide a copy of the statement to the inmate; and

8-49 (3) place a copy of the statement in the inmate's file.

8-50 (b) In a written statement produced under Subsection (a),  
8-51 the parole panel may withhold information that:

8-52 (1) is confidential and not subject to public  
8-53 disclosure under Chapter 552; or

8-54 (2) the parole panel considers to possibly jeopardize  
8-55 the health or safety of any individual.

8-56 (c) The board shall keep a copy of each statement produced  
8-57 under Subsection (a) in a central location.

8-58 SECTION 15. Section 508.144, Government Code, is amended to  
8-59 read as follows:

8-60 Sec. 508.144. PAROLE GUIDELINES. (a) The board shall:

8-61 (1) develop according to an acceptable research method  
8-62 the parole guidelines that are the basic criteria on which a parole  
8-63 decision is made;

8-64 (2) base the guidelines on the seriousness of the  
8-65 offense and the likelihood of a favorable parole outcome;

8-66 (3) ensure that the guidelines require consideration  
8-67 of an inmate's progress in any programs in which the inmate  
8-68 participated during the inmate's term of confinement; and

8-69 (4) implement the guidelines.



9-1 (b) ~~[If a board member or parole commissioner deviates from~~  
9-2 ~~the parole guidelines in voting on a parole decision, the member or~~  
9-3 ~~parole commissioner shall:~~

9-4 ~~[(1) produce a written statement describing in detail~~  
9-5 ~~the specific circumstances regarding the departure from the~~  
9-6 ~~guidelines;~~

9-7 ~~[(2) place a copy of the statement in the file of the~~  
9-8 ~~inmate for whom the parole decision was made; and~~

9-9 ~~[(3) provide a copy of the statement to the inmate.~~  
9-10 ~~[(c) The board shall keep a copy of a statement made under~~  
9-11 ~~Subsection (b) in a central location.~~

9-12 ~~[(d)]~~ The board shall meet annually to review and discuss  
9-13 the parole guidelines developed under Subsection (a). The board  
9-14 may consult outside experts to assist with the review. The board  
9-15 shall prioritize the use of outside experts, technical assistance,  
9-16 and training in taking any action under Subsection (c). The board  
9-17 must consider:

9-18 (1) how the parole guidelines serve the needs of  
9-19 parole decision-making; and

9-20 (2) the extent to which [how well] the parole  
9-21 guidelines reflect parole panel decisions~~[+]~~ and

9-22 ~~[(3) how well parole guidelines]~~ predict successful  
9-23 parole outcomes.

9-24 (c) ~~[(e)]~~ Based on the board's review ~~[of the parole~~  
9-25 ~~guidelines]~~ under Subsection (b) ~~[(d)]~~, the board may~~[+~~

9-26 ~~[(1)]~~ update the guidelines by:

9-27 (1) ~~[(A)]~~ including new risk factors; or

9-28 (2) ~~[(B)]~~ changing the values of offense severity or  
9-29 risk factor scores~~[+or~~

9-30 ~~[(2) modify the recommended parole approval rates~~  
9-31 ~~under the guidelines, if parole approval rates differ significantly~~  
9-32 ~~from the recommended rates].~~

9-33 (d) ~~[(f)]~~ The board is not required to hold an open meeting  
9-34 to review the parole guidelines as required by Subsection (b)  
9-35 ~~[(d)]~~, but any modifications or updates to the guidelines made by  
9-36 the board under Subsection (c) ~~[(e)]~~ must occur in an open meeting.

9-37 SECTION 16. Subsection (b), Section 508.1445, Government  
9-38 Code, is amended to read as follows:

9-39 (b) The report must include~~[+~~

9-40 ~~[(1)]~~ a brief explanation of the parole guidelines,  
9-41 including how the board~~[+~~

9-42 ~~[(A)]~~ defines the risk factors and offense  
9-43 severity levels~~[+and~~

9-44 ~~[(B) determines the recommended parole approval~~  
9-45 ~~rates for each guideline score;~~

9-46 ~~[(2) a comparison of the recommended approval rates~~  
9-47 ~~under the parole guidelines to the actual approval rates for~~  
9-48 ~~individual parole panel members, regional offices, and the state as~~  
9-49 ~~a whole; and~~

9-50 ~~[(3) a description of instances in which the actual~~  
9-51 ~~parole approval rates do not meet the recommended approval rates~~  
9-52 ~~under the parole guidelines, an explanation of the variations, and~~  
9-53 ~~a list of actions that the board has taken or will take to meet the~~  
9-54 ~~guidelines].~~

9-55 SECTION 17. The heading to Section 508.152, Government  
9-56 Code, is amended to read as follows:

9-57 Sec. 508.152. INDIVIDUAL TREATMENT PLAN ~~[PROPOSED PROGRAM~~  
9-58 ~~OF INSTITUTIONAL PROGRESS]~~.

9-59 SECTION 18. Section 508.152, Government Code, is amended by  
9-60 amending Subsections (b) and (d) and adding Subsections (b-1) and  
9-61 (b-2) to read as follows:

9-62 (b) The department shall:

9-63 (1) establish for the inmate an individual treatment  
9-64 plan ~~[a proposed program of measurable institutional progress]~~; and

9-65 (2) submit the plan ~~[proposed program]~~ to the board at  
9-66 the time of the board's consideration of the inmate's case for  
9-67 release.

9-68 (b-1) The department shall include in an inmate's  
9-69 individual treatment plan:

10-1 (1) a record of the inmate's institutional progress  
 10-2 that includes the inmate's participation in any program, including  
 10-3 an intensive volunteer program as defined by the department;

10-4 (2) the results of any assessment of the inmate,  
 10-5 including any assessment made using the risk and needs assessment  
 10-6 instrument adopted under Section 501.0921 and any vocational,  
 10-7 educational, or substance abuse assessment;

10-8 (3) the dates on which the inmate must participate in  
 10-9 any subsequent assessment; and

10-10 (4) all of the treatment and programming needs of the  
 10-11 inmate, prioritized based on the inmate's assessed needs.

10-12 (b-2) At least once in every 12-month period, the department  
 10-13 shall review each inmate's individual treatment plan to assess the  
 10-14 inmate's institutional progress and revise or update the plan as  
 10-15 necessary.

10-16 (d) Before the inmate is approved for release on parole, the  
 10-17 inmate must agree to participate in the programs and activities  
 10-18 described by the individual treatment plan [~~proposed program of~~  
 10-19 measurable institutional progress].

10-20 SECTION 19. Section 508.281, Government Code, is amended by  
 10-21 adding Subsection (e) to read as follows:

10-22 (e) Any hearing required to be conducted by a parole panel  
 10-23 under this chapter may be conducted by a designated agent of the  
 10-24 board. The designated agent may make recommendations to a parole  
 10-25 panel that has responsibility for making a final determination.

10-26 SECTION 20. Chapter 509, Government Code, is amended by  
 10-27 adding Section 509.0041 to read as follows:

10-28 Sec. 509.0041. USE OF RISK AND NEEDS ASSESSMENT INSTRUMENT.  
 10-29 The division shall require each department to use the risk and needs  
 10-30 assessment instrument adopted by the Texas Department of Criminal  
 10-31 Justice under Section 501.0921 to assess each defendant at the time  
 10-32 of the defendant's initial placement on community supervision and  
 10-33 at other times as required by the comprehensive reentry and  
 10-34 reintegration plan adopted under Section 501.092.

10-35 SECTION 21. Subsection (b), Section 509.010, Government  
 10-36 Code, is amended to read as follows:

10-37 (b) Before the 30th day before the date of the meeting, the  
 10-38 division, the department that the facility is to serve, or a vendor  
 10-39 proposing to operate the facility shall:

10-40 (1) publish by advertisement that is not less than  
 10-41 3-1/2 inches by 5 inches notice of the date, hour, place, and  
 10-42 subject of the hearing required by Subsection (a) in three  
 10-43 consecutive issues of a newspaper of, or in newspapers that  
 10-44 collectively have, general circulation in the county in which the  
 10-45 proposed facility is to be located; and

10-46 (2) mail a copy of the notice to each police chief,  
 10-47 sheriff, city council member, mayor, county commissioner, county  
 10-48 judge, school board member, state representative, and state senator  
 10-49 who serves or represents the area in which the proposed facility is  
 10-50 to be located, unless the proposed facility has been previously  
 10-51 authorized to operate at a particular location as part of a  
 10-52 community justice plan submitted by a community justice council  
 10-53 under Section 509.007 [~~76.003~~].

10-54 SECTION 22. Subsection (a), Section 509.011, Government  
 10-55 Code, is amended to read as follows:

10-56 (a) If the division determines that a department complies  
 10-57 with division standards and if the community justice council has  
 10-58 submitted a community justice plan under Section 509.007 [~~76.003~~]  
 10-59 and the supporting information required by the division and the  
 10-60 division determines the plan and supporting information are  
 10-61 acceptable, the division shall prepare and submit to the  
 10-62 comptroller vouchers for payment to the department as follows:

10-63 (1) for per capita funding, a per diem amount for each  
 10-64 felony defendant directly supervised by the department pursuant to  
 10-65 lawful authority;

10-66 (2) for per capita funding, a per diem amount for a  
 10-67 period not to exceed 182 days for each defendant supervised by the  
 10-68 department pursuant to lawful authority, other than a felony  
 10-69 defendant; and

11-1 (3) for formula funding, an annual amount as computed  
 11-2 by multiplying a percentage determined by the allocation formula  
 11-3 established under Subsection (f) times the total amount provided in  
 11-4 the General Appropriations Act for payments under this subdivision.

11-5 SECTION 23. Chapter 509, Government Code, is amended by  
 11-6 adding Sections 509.013 and 509.014 to read as follows:

11-7 Sec. 509.013. GRANT PROGRAM ADMINISTRATION. (a) In this  
 11-8 section, "grant program" means a grant program administered by the  
 11-9 division through which the division awards grants to departments  
 11-10 through an application process.

11-11 (b) The division shall:

11-12 (1) establish goals for each grant program that are  
 11-13 consistent with the purposes described by Section 509.002 and the  
 11-14 mission of the division;

11-15 (2) establish grant application, review, award, and  
 11-16 evaluation processes;

11-17 (3) establish the process by which and grounds on  
 11-18 which an applicant may appeal a decision of the division regarding a  
 11-19 grant application;

11-20 (4) establish and maintain a system to routinely  
 11-21 monitor grant performance;

11-22 (5) establish and make available to the public:

11-23 (A) all criteria used in evaluating grant  
 11-24 applications; and

11-25 (B) all factors used to measure grant program  
 11-26 performance;

11-27 (6) publish on the division's Internet website for  
 11-28 each grant awarded:

11-29 (A) the amount awarded;

11-30 (B) the method used in scoring the grant  
 11-31 applications and the results of that scoring; and

11-32 (C) additional information describing the  
 11-33 methods used to make the funding determination; and

11-34 (7) require each department to submit  
 11-35 program-specific outcome data for the division's use in making  
 11-36 grant awards and funding decisions.

11-37 Sec. 509.014. STUDY REGARDING PERFORMANCE-BASED FUNDING.

11-38 (a) The division shall:

11-39 (1) review the funding formulas specified under  
 11-40 Section 509.011 and study the feasibility of adopting  
 11-41 performance-based funding formulas, including whether the formulas  
 11-42 should take into consideration an offender's risk level or other  
 11-43 appropriate factors in allocating funding; and

11-44 (2) make recommendations for modifying the current  
 11-45 funding formulas.

11-46 (b) In conducting the study and making recommendations  
 11-47 under Subsection (a), the division shall:

11-48 (1) seek input from departments, the judicial advisory  
 11-49 council established under Section 493.003(b), and other relevant  
 11-50 interest groups; and

11-51 (2) in consultation with the Legislative Budget Board,  
 11-52 determine the impact of any recommendations on the allocation of  
 11-53 the division's funds as projected by the Legislative Budget Board.

11-54 (c) The division shall include in the reports prepared under  
 11-55 Sections 509.004(c) and 509.016(c):

11-56 (1) the findings of the study;

11-57 (2) any recommendations regarding modifying the  
 11-58 funding formulas; and

11-59 (3) the projected impact of the recommendations on the  
 11-60 allocation of the division's funds.

11-61 SECTION 24. Subsection (a), Section 8, Article 42.09, Code  
 11-62 of Criminal Procedure, is amended to read as follows:

11-63 (a) A county that transfers a defendant to the Texas  
 11-64 Department of Criminal Justice under this article shall deliver to  
 11-65 an officer designated by the department:

11-66 (1) a copy of the judgment entered pursuant to Article  
 11-67 42.01, completed on a standardized felony judgment form described  
 11-68 by Section 4 of that article;

11-69 (2) a copy of any order revoking community supervision

12-1 and imposing sentence pursuant to Section 23, Article 42.12,  
12-2 including:

12-3 (A) any amounts owed for restitution, fines, and  
12-4 court costs, completed on a standardized felony judgment form  
12-5 described by Section 4, Article 42.01; and

12-6 (B) a copy of the client supervision plan  
12-7 prepared for the defendant by the community supervision and  
12-8 corrections department supervising the defendant, if such a plan  
12-9 was prepared;

12-10 (3) a written report that states the nature and the  
12-11 seriousness of each offense and that states the citation to the  
12-12 provision or provisions of the Penal Code or other law under which  
12-13 the defendant was convicted;

12-14 (4) a copy of the victim impact statement [~~, if one has~~  
12-15 ~~been~~] prepared in the case under Article 56.03 or, if a victim  
12-16 impact statement has not been submitted in the case, a completed  
12-17 form described by Article 56.04(d-1)(1);

12-18 (5) a statement as to whether there was a change in  
12-19 venue in the case and, if so, the names of the county prosecuting  
12-20 the offense and the county in which the case was tried;

12-21 (6) if requested, information regarding the criminal  
12-22 history of the defendant, including the defendant's state  
12-23 identification number if the number has been issued;

12-24 (7) a copy of the indictment or information for each  
12-25 offense;

12-26 (8) a checklist sent by the department to the county  
12-27 and completed by the county in a manner indicating that the  
12-28 documents required by this subsection and Subsection (c) accompany  
12-29 the defendant;

12-30 (9) if prepared, a copy of a presentence or  
12-31 postsentence investigation report prepared under Section 9,  
12-32 Article 42.12;

12-33 (10) a copy of any detainer, issued by an agency of the  
12-34 federal government, that is in the possession of the county and that  
12-35 has been placed on the defendant;

12-36 (11) if prepared, a copy of the defendant's Texas  
12-37 Uniform Health Status Update Form; and

12-38 (12) a written description of a hold or warrant,  
12-39 issued by any other jurisdiction, that the county is aware of and  
12-40 that has been placed on or issued for the defendant.

12-41 SECTION 25. Article 56.04, Code of Criminal Procedure, is  
12-42 amended by adding Subsection (d-1) and amending Subsection (e) to  
12-43 read as follows:

12-44 (d-1) The victim services division of the Texas Department  
12-45 of Criminal Justice, in consultation with the Board of Pardons and  
12-46 Paroles, law enforcement agencies, prosecutors, and other  
12-47 participants in the criminal justice system, shall develop:

12-48 (1) a form to be used by a victim assistance  
12-49 coordinator to document instances in which a victim, guardian of a  
12-50 victim, or close relative of a deceased victim has not submitted a  
12-51 victim impact statement; and

12-52 (2) a standard processing procedure to be used by the  
12-53 office of an attorney representing the state to ensure that a victim  
12-54 impact statement or form described by Subdivision (1) is submitted  
12-55 to a court or the Texas Department of Criminal Justice as provided  
12-56 by Subsection (e).

12-57 (e) The victim assistance coordinator shall send a copy of a  
12-58 victim impact statement or form described by Subsection (d-1)(1) to  
12-59 the court sentencing the defendant. If the court sentences the  
12-60 defendant to imprisonment in the Texas Department of Criminal  
12-61 Justice, the court [it] shall attach the copy of the victim impact  
12-62 statement or form to the commitment papers.

12-63 SECTION 26. Chapter 19, Education Code, is amended by  
12-64 adding Section 19.0022 to read as follows:

12-65 Sec. 19.0022. SUNSET PROVISION. The Windham School  
12-66 District is subject to review under Chapter 325, Government Code  
12-67 (Texas Sunset Act). The district shall be reviewed during the  
12-68 period in which the Texas Department of Criminal Justice is  
12-69 reviewed.

13-1 SECTION 27. Section 19.0041, Education Code, is amended to  
13-2 read as follows:

13-3 Sec. 19.0041. PROGRAM DATA COLLECTION AND BIENNIAL  
13-4 EVALUATION AND REPORT [OF TRAINING SERVICES]. (a) To evaluate the  
13-5 effectiveness of its programs [~~training services provided to~~  
13-6 ~~persons confined or imprisoned in the department~~], the Windham  
13-7 School District shall [~~consult with the Legislative Budget Board~~  
13-8 ~~to~~] compile and analyze information for each of its programs,  
13-9 including performance-based information and data related to  
13-10 academic, vocational training, and life skills programs [~~person who~~  
13-11 ~~receives the training services~~]. This information shall include  
13-12 for each person who participates in district programs an evaluation  
13-13 of:

13-14 (1) institutional disciplinary violations;

13-15 (2) subsequent arrests;

13-16 (3) subsequent convictions or confinements;

13-17 (4) the cost of confinement;

13-18 (5) educational achievement;

13-19 (6) high school equivalency examination passage;

13-20 (7) the kind of training services provided;

13-21 (8) [~~2~~] the kind of employment the person obtains on  
13-22 release;

13-23 (9) [~~3~~] whether the employment was related to  
13-24 training;

13-25 (10) [~~4~~] the difference between the amount of the  
13-26 person's earnings on the date employment is obtained following  
13-27 release and the amount of those earnings on the first anniversary of  
13-28 that date; and

13-29 (11) [~~5~~] the retention factors associated with the  
13-30 employment.

13-31 (b) The Windham School District shall use the information  
13-32 compiled and analyzed under Subsection (a) to biennially:

13-33 (1) evaluate whether its programs meet the goals under  
13-34 Section 19.003 and make changes to the programs as necessary; and

13-35 (2) [~~Legislative Budget Board shall~~] submit a [~~an~~  
13-36 ~~annual~~] report to the board, the legislature, and the governor's  
13-37 office [~~based on data compiled and analyzed under Subsection (a)~~].

13-38 (c) The Windham School District may enter into a memorandum  
13-39 of understanding with the department, the Department of Public  
13-40 Safety, and the Texas Workforce Commission to obtain and share data  
13-41 necessary to evaluate district programs.

13-42 SECTION 28. The following provisions of the Government Code  
13-43 are repealed:

13-44 (1) Subsection (i), Section 493.009;

13-45 (2) Section 501.100; and

13-46 (3) Subsections (c) and (d), Section 501.148.

13-47 SECTION 29. Not later than October 1, 2013, each facility  
13-48 under the oversight of the correctional institutions division of  
13-49 the Texas Department of Criminal Justice shall establish a case  
13-50 management committee as required by Section 493.031, Government  
13-51 Code, as added by this Act.

13-52 SECTION 30. Not later than January 1, 2014:

13-53 (1) the Texas Department of Criminal Justice shall  
13-54 adopt the comprehensive reentry and reintegration plan required by  
13-55 Section 501.092, Government Code, as amended by this Act; and

13-56 (2) the executive director of the Texas Department of  
13-57 Criminal Justice shall appoint representatives to serve on the  
13-58 reentry task force as required by Section 501.098, Government Code,  
13-59 as amended by this Act.

13-60 SECTION 31. Not later than September 1, 2016, the Texas  
13-61 Department of Criminal Justice shall submit the first report  
13-62 required by Subsection (i), Section 501.092, Government Code, as  
13-63 added by this Act.

13-64 SECTION 32. Not later than January 31, 2014, the governor  
13-65 shall appoint one member from each of the first two medical schools,  
13-66 as defined by Subdivision (3), Section 501.131, Government Code, as  
13-67 added by this Act, based on an alphabetical listing of the names of  
13-68 the medical schools, to the Correctional Managed Health Care  
13-69 Committee, so as to comply with the membership requirements of

14-1 Subsection (a), Section 501.136, Government Code, as added by this  
14-2 Act. Notwithstanding the terms of the members as provided by  
14-3 Subsection (a), Section 501.136, Government Code, as added by this  
14-4 Act, the terms of the members appointed under this section expire  
14-5 February 1, 2017.

14-6 SECTION 33. Not later than the 30th day after the end of the  
14-7 first quarter of fiscal year 2014, the Texas Department of Criminal  
14-8 Justice shall submit the first report required by Section 501.1471,  
14-9 Government Code, as added by this Act.

14-10 SECTION 34. Section 508.1411, Government Code, as added by  
14-11 this Act, applies only to a decision of a parole panel made on or  
14-12 after November 1, 2013. A decision of a parole panel made before  
14-13 November 1, 2013, is governed by the law in effect immediately  
14-14 before the effective date of this Act, and the former law is  
14-15 continued in effect for that purpose.

14-16 SECTION 35. Not later than January 1, 2014, the community  
14-17 justice assistance division of the Texas Department of Criminal  
14-18 Justice shall adopt forms, establish procedures, and take other  
14-19 actions necessary to comply with the requirements of Section  
14-20 509.013, Government Code, as added by this Act.

14-21 SECTION 36. Not later than January 1, 2017, the community  
14-22 justice assistance division of the Texas Department of Criminal  
14-23 Justice shall include in the reports submitted under Subsection  
14-24 (c), Section 509.004, and Subsection (c), Section 509.016,  
14-25 Government Code, the findings, recommendations, and projected  
14-26 impact of recommendations from the first study conducted under  
14-27 Section 509.014, Government Code, as added by this Act.

14-28 SECTION 37. (a) The changes in law made by this Act in  
14-29 amending Article 42.09 and Subsection (e), Article 56.04, Code of  
14-30 Criminal Procedure, apply only to a defendant who is sentenced by a  
14-31 court or who is transferred to the Texas Department of Criminal  
14-32 Justice on or after January 1, 2014. A defendant who is sentenced  
14-33 by a court or who is transferred to the Texas Department of Criminal  
14-34 Justice before January 1, 2014, is governed by the law in effect  
14-35 immediately before the effective date of this Act, and the former  
14-36 law is continued in effect for that purpose.

14-37 (b) Before January 1, 2014, the victim services division of  
14-38 the Texas Department of Criminal Justice shall develop the form and  
14-39 procedure required by Subsection (d-1), Article 56.04, Code of  
14-40 Criminal Procedure, as added by this Act.

14-41 SECTION 38. This Act takes effect September 1, 2013.

14-42

\* \* \* \* \*