

By: Farias, Guillen

H.B. No. 875

A BILL TO BE ENTITLED

AN ACT

relating to the verification of the veteran status of inmates and prisoners.

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

SECTION 1. Section 501.023, Government Code, as added by Chapter 261 (H.B. 634), Acts of the 83rd Legislature, Regular Session, 2013, is amended to read as follows:

Sec. 501.023. VERIFICATION OF INMATE VETERAN STATUS. (a) The department, during the diagnostic process, shall record information relating to an inmate's military history in the inmate's admission sheet and intake screening form, or any other similar document [~~In this section, "system" means the Public Assistance Reporting Information System (PARIS) operated by the Administration for Children and Families of the United States Department of Health and Human Services~~].

(b) The department shall:

(1) in consultation with the Texas Veterans Commission, investigate and verify the veteran status of each inmate by using the best available federal data [~~made available from the system through the Health and Human Services Commission~~]; and

(2) use the [~~system~~] data described by Subdivision (1) to assist inmates who are veterans in applying for federal benefits or compensation for which the inmates may be eligible under a

1 program administered by the United States Department of Veterans
2 Affairs.

3 SECTION 2. Section 511.009(a), Government Code, is amended
4 to read as follows:

5 (a) The commission shall:

6 (1) adopt reasonable rules and procedures
7 establishing minimum standards for the construction, equipment,
8 maintenance, and operation of county jails;

9 (2) adopt reasonable rules and procedures
10 establishing minimum standards for the custody, care, and treatment
11 of prisoners;

12 (3) adopt reasonable rules establishing minimum
13 standards for the number of jail supervisory personnel and for
14 programs and services to meet the needs of prisoners;

15 (4) adopt reasonable rules and procedures
16 establishing minimum requirements for programs of rehabilitation,
17 education, and recreation in county jails;

18 (5) revise, amend, or change rules and procedures if
19 necessary;

20 (6) provide to local government officials
21 consultation on and technical assistance for county jails;

22 (7) review and comment on plans for the construction
23 and major modification or renovation of county jails;

24 (8) require that the sheriff and commissioners of each
25 county submit to the commission, on a form prescribed by the
26 commission, an annual report on the conditions in each county jail
27 within their jurisdiction, including all information necessary to

1 determine compliance with state law, commission orders, and the
2 rules adopted under this chapter;

3 (9) review the reports submitted under Subdivision (8)
4 and require commission employees to inspect county jails regularly
5 to ensure compliance with state law, commission orders, and rules
6 and procedures adopted under this chapter;

7 (10) adopt a classification system to assist sheriffs
8 and judges in determining which defendants are low-risk and
9 consequently suitable participants in a county jail work release
10 program under Article [42.034](#), Code of Criminal Procedure;

11 (11) adopt rules relating to requirements for
12 segregation of classes of inmates and to capacities for county
13 jails;

14 (12) require that the chief jailer of each municipal
15 lockup submit to the commission, on a form prescribed by the
16 commission, an annual report of persons under 17 years of age
17 securely detained in the lockup, including all information
18 necessary to determine compliance with state law concerning secure
19 confinement of children in municipal lockups;

20 (13) at least annually determine whether each county
21 jail is in compliance with the rules and procedures adopted under
22 this chapter;

23 (14) require that the sheriff and commissioners court
24 of each county submit to the commission, on a form prescribed by the
25 commission, an annual report of persons under 17 years of age
26 securely detained in the county jail, including all information
27 necessary to determine compliance with state law concerning secure

1 confinement of children in county jails;

2 (15) schedule announced and unannounced inspections
3 of jails under the commission's jurisdiction using the risk
4 assessment plan established under Section 511.0085 to guide the
5 inspections process;

6 (16) adopt a policy for gathering and distributing to
7 jails under the commission's jurisdiction information regarding:

8 (A) common issues concerning jail
9 administration;

10 (B) examples of successful strategies for
11 maintaining compliance with state law and the rules, standards, and
12 procedures of the commission; and

13 (C) solutions to operational challenges for
14 jails;

15 (17) report to the Texas Correctional Office on
16 Offenders with Medical or Mental Impairments on a jail's compliance
17 with Article 16.22, Code of Criminal Procedure;

18 (18) adopt reasonable rules and procedures
19 establishing minimum requirements for jails to:

20 (A) determine if a prisoner is pregnant; and

21 (B) ensure that the jail's health services plan
22 addresses medical and mental health care, including nutritional
23 requirements, and any special housing or work assignment needs for
24 persons who are confined in the jail and are known or determined to
25 be pregnant; ~~and~~

26 (19) provide guidelines to sheriffs regarding
27 contracts between a sheriff and another entity for the provision of

1 food services to or the operation of a commissary in a jail under
2 the commission's jurisdiction, including specific provisions
3 regarding conflicts of interest and avoiding the appearance of
4 impropriety; and

5 (20) require the sheriff of each county to:

6 (A) investigate and verify the veteran status of
7 each prisoner by using data made available from the Veterans
8 Reentry Search Service (VRSS) operated by the United States
9 Department of Veterans Affairs or a similar service; and

10 (B) use the data described by Paragraph (A) to
11 assist prisoners who are veterans in applying for federal benefits
12 or compensation for which the prisoners may be eligible under a
13 program administered by the United States Department of Veterans
14 Affairs.

15 SECTION 3. This Act takes effect September 1, 2015.