

By: Lucio III

H.B. No. 2911

Substitute the following for H.B. No. 2911:

By: Moody

C.S.H.B. No. 2911

A BILL TO BE ENTITLED

AN ACT

relating to a reemployment program as a condition of community supervision for certain veterans who commit a misdemeanor offense.

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

SECTION 1. Chapter 42A, Code of Criminal Procedure, is amended by adding Subchapter H-1 to read as follows:

SUBCHAPTER H-1. VETERANS REEMPLOYMENT PROGRAM

Art. 42A.381. VETERANS REEMPLOYMENT PROGRAM. In this subchapter "veterans reemployment program" means a program that provides education and training to veterans with the goal that the veterans become gainfully employed.

Art. 42A.382. ELIGIBILITY. (a) A defendant placed on deferred adjudication community supervision for or convicted of a misdemeanor offense is eligible to participate in a veterans reemployment program established under this subchapter if the defendant is a veteran of the United States armed forces, including a member of the reserves, national guard, or state guard.

(b) The judge granting community supervision to a defendant described by Subsection (a) shall inform the defendant of the defendant's eligibility for the program but may not require the defendant to participate in the program.

(c) A judge may additionally impose any condition of community supervision that the judge is authorized to impose under this chapter on a defendant who chooses to participate in the

1 program under this subchapter.

2 Art. 42A.383. EDUCATION AND TRAINING COURSES. (a) A
3 participant in the program shall diligently attend workforce
4 development education and training courses developed or approved by
5 the Texas Workforce Commission under Chapter 316, Labor Code, as
6 directed by the court.

7 (b) The education and training courses under this article
8 must focus on providing a participant with useful workplace skills
9 most likely to lead to gainful employment by the participant.

10 (c) The education and training courses may be
11 individualized based on any physical or intellectual limitations of
12 the participant.

13 Art. 42A.384. COMPLETION OF PROGRAM. A participant
14 successfully completes the veterans reemployment program if the
15 participant completes the education and training courses required
16 by the court and:

17 (1) obtains employment and retains that employment for
18 three continuous months;

19 (2) diligently searches for employment for a
20 continuous period of six months; or

21 (3) is determined by the court to be unemployable
22 because of a disability.

23 Art. 42A.385. FAILURE TO COMPLETE PROGRAM. (a) The judge
24 may not revoke the community supervision of a defendant who fails to
25 complete the program under this subchapter.

26 (b) If the defendant fails to complete the program under
27 this subchapter, the judge may:

1 (1) modify the defendant's conditions of community
2 supervision; and

3 (2) extend the period of community supervision so that
4 the defendant may comply with the conditions under Subdivision (1).

5 SECTION 2. Subchapter E-1, Chapter 411, Government Code, is
6 amended by adding Section 411.0729 to read as follows:

7 Sec. 411.0729. PROCEDURE FOR CERTAIN VETERANS. On
8 successful completion of the veterans reemployment program created
9 under Subchapter H-1, Chapter 42A, Code of Criminal Procedure, and
10 all other conditions of the defendant's community supervision,
11 regardless of whether the defendant meets the eligibility criteria
12 under this subchapter, after notice to the state and a hearing on
13 whether issuance of an order of nondisclosure is in the best
14 interest of justice, the court shall enter an order of
15 nondisclosure with respect to all records of the offense for which
16 the defendant was convicted or placed on deferred adjudication
17 community supervision.

18 SECTION 3. Subtitle B, Title 4, Labor Code, is amended by
19 adding Chapter 316 to read as follows:

20 CHAPTER 316. VETERANS REEMPLOYMENT EDUCATION AND TRAINING COURSES

21 Sec. 316.001. VETERANS REEMPLOYMENT PROGRAM. In this
22 chapter "veterans reemployment program" means the community
23 supervision program created under Subchapter H-1, Chapter 42A, Code
24 of Criminal Procedure.

25 Sec. 316.002. EDUCATION AND TRAINING COURSES. (a) The
26 commission shall develop or approve education and training courses
27 to assist veterans convicted of or placed on deferred adjudication

1 community supervision for a misdemeanor offense under Subchapter
2 H-1, Chapter 42A, Code of Criminal Procedure, in obtaining
3 workforce skills and becoming gainfully employed.

4 (b) The education and training courses must provide
5 instruction in workforce skills appropriate for veterans with
6 disabilities.

7 SECTION 4. Not later than January 1, 2018, the Texas
8 Workforce Commission shall develop or approve education and
9 training courses as required under Chapter 316, Labor Code, as
10 added by this Act.

11 SECTION 5. Subchapter H-1, Chapter 42A, Code of Criminal
12 Procedure, applies only to a person placed on community
13 supervision, including deferred adjudication community
14 supervision, on or after January 1, 2018.

15 SECTION 6. This Act takes effect immediately if it receives
16 a vote of two-thirds of all the members elected to each house, as
17 provided by Section 39, Article III, Texas Constitution. If this
18 Act does not receive the vote necessary for immediate effect, this
19 Act takes effect September 1, 2017.