

By: Lucio III

H.B. No. 2911

A BILL TO BE ENTITLED

AN ACT

1
2 relating to a reemployment program as a condition of community
3 supervision for certain veterans who commit a misdemeanor offense;
4 authorizing a fee.

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

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

8 SUBCHAPTER H-1. VETERANS REEMPLOYMENT PROGRAM

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

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

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

23 (c) A judge may additionally impose any condition of
24 community supervision that the judge is authorized to impose under

1 this chapter on a defendant who chooses to participate in the
2 program under this subchapter.

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

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

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

14 Art. 42A.384. FEE. (a) A fee may be assessed for
15 participation in the education and training courses in an amount
16 sufficient to cover the cost of providing the courses.

17 (b) If the court determines the defendant is indigent, the
18 court may reduce or waive the fee.

19 Art. 42A.385. COMPLETION OF PROGRAM. A participant
20 successfully completes the veterans reemployment program if the
21 participant completes the education and training courses required
22 by the court and:

23 (1) obtains employment and retains that employment for
24 three continuous months;

25 (2) diligently searches for employment for a
26 continuous period of six months; or

27 (3) is determined by the court to be unemployable

1 because of a disability.

2 Art. 42A.386. FAILURE TO COMPLETE PROGRAM. (a) The judge
3 may not revoke the community supervision of a defendant who fails to
4 complete the program under this subchapter.

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

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

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

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

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

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

26 CHAPTER 316. VETERANS REEMPLOYMENT EDUCATION AND TRAINING COURSES

27 Sec. 316.001. VETERANS REEMPLOYMENT PROGRAM. In this

1 chapter "veterans reemployment program" means the community
2 supervision program created under Subchapter H-1, Chapter 42A, Code
3 of Criminal Procedure.

4 Sec. 316.002. EDUCATION AND TRAINING COURSES. (a) The
5 commission shall develop or approve education and training courses
6 to assist veterans convicted of or placed on deferred adjudication
7 community supervision for a misdemeanor offense under Subchapter
8 H-1, Chapter 42A, Code of Criminal Procedure, in obtaining
9 workforce skills and becoming gainfully employed.

10 (b) The education and training courses must provide
11 instruction in workforce skills appropriate for veterans with
12 disabilities.

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

17 SECTION 5. Subchapter H-1, Chapter 42A, Code of Criminal
18 Procedure, applies only to a person placed on community
19 supervision, including deferred adjudication community
20 supervision, on or after January 1, 2018.

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