

By: Parker, White, Zerwas

H.B. No. 3130

Substitute the following for H.B. No. 3130:

By: White

C.S.H.B. No. 3130

A BILL TO BE ENTITLED

AN ACT

1  
2 relating to the establishment of an educational and vocational  
3 training pilot program for certain state jail felony defendants.

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

5 SECTION 1. Subchapter L, Chapter 42A, Code of Criminal  
6 Procedure, is amended by adding Article 42A.562 to read as follows:

7 Art. 42A.562. PLACEMENT ON COMMUNITY SUPERVISION;  
8 EDUCATIONAL AND VOCATIONAL TRAINING PILOT PROGRAM. (a) Except as  
9 provided by Subsection (b), a judge assessing punishment in a state  
10 jail felony case may suspend the imposition of the sentence and  
11 place the defendant on community supervision with the conditions  
12 that the defendant:

13 (1) submit at the beginning of the term of community  
14 supervision to confinement in a state jail felony facility for a  
15 term not to exceed 90 days; and

16 (2) participate in a program operated under Section  
17 507.007, Government Code.

18 (b) A judge may not place a defendant on community  
19 supervision under this article if the defendant is or has  
20 previously been convicted of an offense under Title 5, Penal Code.

21 (c) Before a judge may place a defendant on community  
22 supervision under this article, the defendant must be assessed  
23 using the risk and needs assessment instrument adopted under  
24 Section 501.0921, Government Code, or a similar instrument that

1 takes into consideration the defendant's prior criminal history.

2 (d) Notwithstanding Article 42A.559(c), the judge shall  
3 credit against the time the defendant is required to serve under  
4 Subsection (a)(1) time the defendant served in a county jail from  
5 the time of the defendant's arrest until sentencing.

6 (e) Notwithstanding the minimum period of community  
7 supervision provided by Article 42A.553(a), a judge placing a  
8 defendant on community supervision under this article shall impose  
9 a period of community supervision not to exceed 270 days.

10 (f) A defendant placed on community supervision under this  
11 article must participate fully in the program described by  
12 Subsection (a)(2). The provisions of Subchapter P authorizing the  
13 judge to revoke a defendant's community supervision or otherwise  
14 sanction the defendant apply with respect to a defendant who  
15 violates the requirement of this subsection.

16 SECTION 2. Subchapter A, Chapter 507, Government Code, is  
17 amended by adding Section 507.007 to read as follows:

18 Sec. 507.007. EDUCATIONAL AND VOCATIONAL TRAINING PILOT  
19 PROGRAM. (a) The department shall establish a pilot program to  
20 provide educational and vocational training, employment, and  
21 reentry services to defendants placed on community supervision and  
22 required to serve a term of confinement in a state jail felony  
23 facility under Article 42A.562, Code of Criminal Procedure.

24 (b) The department, in consultation with interested  
25 parties, shall determine the eligibility criteria for a defendant  
26 to participate in the pilot program, including requiring the  
27 defendant to arrange for suitable housing while participating in

1 the program.

2 (c) The department, in consultation with interested  
3 parties, shall determine not more than four locations in this state  
4 in which the pilot program will operate. In determining the  
5 locations, the department shall consider locating the program in  
6 various regions throughout the state, including locations having a  
7 variety of population sizes. The department shall also give  
8 consideration to whether a risk and needs assessment is generally  
9 conducted before sentencing defendants in a particular location and  
10 to the degree to which local judges show support for the  
11 establishment of the program in a particular location.

12 (d) The department shall issue a request for proposals from  
13 public or private entities to provide services through the pilot  
14 program. The department shall select one or more qualified  
15 applicants to provide services through the program to eligible  
16 defendants.

17 (e) The pilot program consists of approximately 180 days of  
18 employment-related services and support and must include:

19 (1) an initial period during which the defendant will:

20 (A) receive training and education related to the  
21 defendant's vocational goals; and

22 (B) be employed by the provider;

23 (2) job placement services designed to provide  
24 employment for the defendant after the period described by  
25 Subdivision (1);

26 (3) assistance in obtaining a high school diploma or  
27 industry certification for applicable defendants;

1           (4) life-skills training, including information about  
2 budgeting and money management; and

3           (5) counseling and mental health services.

4           (f) The department shall limit the number of defendants who  
5 may participate in the program to not more than 45 defendants per  
6 quarter per program location.

7           (g) The department shall pay providers not less than \$40 per  
8 day for each participant.

9           SECTION 3. Not later than September 1, 2019, the Texas  
10 Department of Criminal Justice shall establish the pilot program  
11 required by Section 507.007, Government Code, as added by this Act.

12           SECTION 4. Article 42A.562, Code of Criminal Procedure, as  
13 added by this Act, applies only to a defendant who receives a  
14 sentence of confinement in a state jail on or after September 1,  
15 2019. A defendant who receives a sentence of confinement in a state  
16 jail before September 1, 2019, is governed by the law in effect  
17 immediately before the effective date of this Act, and the former  
18 law is continued in effect for that purpose.

19           SECTION 5. This Act takes effect September 1, 2017.