

1-1 By: Parker, et al. (Senate Sponsor - Huffman) H.B. No. 3130
 1-2 (In the Senate - Received from the House May 3, 2017;
 1-3 May 4, 2017, read first time and referred to Committee on Criminal
 1-4 Justice; May 17, 2017, reported favorably by the following vote:
 1-5 Yeas 8, Nays 0; May 17, 2017, sent to printer.)

1-6 COMMITTEE VOTE

	Yea	Nay	Absent	PNV
1-7				
1-8	X			
1-9	X			
1-10	X			
1-11	X			
1-12	X			
1-13	X			
1-14	X			
1-15			X	
1-16	X			

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

1-19 relating to the establishment of an educational and vocational
 1-20 training pilot program for certain state jail felony defendants.

1-21 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

1-22 SECTION 1. Subchapter L, Chapter 42A, Code of Criminal
 1-23 Procedure, is amended by adding Article 42A.562 to read as follows:

1-24 Art. 42A.562. PLACEMENT ON COMMUNITY SUPERVISION;
 1-25 EDUCATIONAL AND VOCATIONAL TRAINING PILOT PROGRAM. (a) Except as
 1-26 provided by Subsection (b), a judge assessing punishment in a state
 1-27 jail felony case may suspend the imposition of the sentence and
 1-28 place the defendant on community supervision with the conditions
 1-29 that the defendant:

1-30 (1) submit at the beginning of the term of community
 1-31 supervision to confinement in a state jail felony facility for a
 1-32 term not to exceed 90 days; and

1-33 (2) participate in a program operated under Section
 1-34 507.007, Government Code.

1-35 (b) A judge may not place a defendant on community
 1-36 supervision under this article if the defendant is or has
 1-37 previously been convicted of an offense under Title 5, Penal Code.

1-38 (c) Before a judge may place a defendant on community
 1-39 supervision under this article, the defendant must be assessed
 1-40 using the risk and needs assessment instrument adopted under
 1-41 Section 501.0921, Government Code, or a similar instrument that
 1-42 takes into consideration the defendant's prior criminal history.

1-43 (d) Notwithstanding Article 42A.559(c), the judge shall
 1-44 credit against the time the defendant is required to serve under
 1-45 Subsection (a)(1) time the defendant served in a county jail from
 1-46 the time of the defendant's arrest until sentencing.

1-47 (e) Notwithstanding the minimum period of community
 1-48 supervision provided by Article 42A.553(a), a judge placing a
 1-49 defendant on community supervision under this article shall impose
 1-50 a period of community supervision not to exceed 270 days.

1-51 (f) A defendant placed on community supervision under this
 1-52 article must participate fully in the program described by
 1-53 Subsection (a)(2). The provisions of Subchapter P authorizing the
 1-54 judge to revoke a defendant's community supervision or otherwise
 1-55 sanction the defendant apply with respect to a defendant who
 1-56 violates the requirement of this subsection.

1-57 SECTION 2. Subchapter A, Chapter 507, Government Code, is
 1-58 amended by adding Section 507.007 to read as follows:

1-59 Sec. 507.007. EDUCATIONAL AND VOCATIONAL TRAINING PILOT
 1-60 PROGRAM. (a) The department shall establish a pilot program to
 1-61 provide educational and vocational training, employment, and

2-1 reentry services to defendants placed on community supervision and
2-2 required to serve a term of confinement in a state jail felony
2-3 facility under Article 42A.562, Code of Criminal Procedure.

2-4 (b) The department, in consultation with interested
2-5 parties, shall determine the eligibility criteria for a defendant
2-6 to participate in the pilot program, including requiring the
2-7 defendant to arrange for suitable housing while participating in
2-8 the program.

2-9 (c) The department, in consultation with interested
2-10 parties, shall determine not more than four locations in this state
2-11 in which the pilot program will operate. In determining the
2-12 locations, the department shall consider locating the program in
2-13 various regions throughout the state, including locations having a
2-14 variety of population sizes. The department shall also give
2-15 consideration to whether a risk and needs assessment is generally
2-16 conducted before sentencing defendants in a particular location and
2-17 to the degree to which local judges show support for the
2-18 establishment of the program in a particular location.

2-19 (d) The department shall issue a request for proposals from
2-20 public or private entities to provide services through the pilot
2-21 program. The department shall select one or more qualified
2-22 applicants to provide services through the program to eligible
2-23 defendants.

2-24 (e) The pilot program consists of approximately 180 days of
2-25 employment-related services and support and must include:

2-26 (1) an initial period during which the defendant will:
2-27 (A) receive training and education related to the
2-28 defendant's vocational goals; and

2-29 (B) be employed by the provider;

2-30 (2) job placement services designed to provide
2-31 employment for the defendant after the period described by
2-32 Subdivision (1);

2-33 (3) assistance in obtaining a high school diploma or
2-34 industry certification for applicable defendants;

2-35 (4) life-skills training, including information about
2-36 budgeting and money management; and

2-37 (5) counseling and mental health services.

2-38 (f) The department shall limit the number of defendants who
2-39 may participate in the program to not more than 45 defendants per
2-40 quarter per program location.

2-41 (g) The department shall pay providers not less than \$40 per
2-42 day for each participant.

2-43 SECTION 3. Not later than September 1, 2019, the Texas
2-44 Department of Criminal Justice shall establish the pilot program
2-45 required by Section 507.007, Government Code, as added by this Act.

2-46 SECTION 4. Article 42A.562, Code of Criminal Procedure, as
2-47 added by this Act, applies only to a defendant who receives a
2-48 sentence of confinement in a state jail on or after September 1,
2-49 2019. A defendant who receives a sentence of confinement in a state
2-50 jail before September 1, 2019, is governed by the law in effect
2-51 immediately before the effective date of this Act, and the former
2-52 law is continued in effect for that purpose.

2-53 SECTION 5. This Act takes effect September 1, 2017.

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