

BILL ANALYSIS

H.B. 714
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Defense & Veterans' Affairs
Committee Report (Unamended)

BACKGROUND AND PURPOSE

In connection with efforts to facilitate veterans' reentry to the civilian workforce, there have been calls to specifically target veterans who are placed on community supervision for misdemeanor offenses. H.B. 714 seeks to provide such a transition process for that population by creating the veterans reemployment program, under which the Texas Workforce Commission provides education and training courses focused on workplace skills during the community supervision period.

CRIMINAL JUSTICE IMPACT

It is the committee's opinion that this bill does not expressly create a criminal offense, increase the punishment for an existing criminal offense or category of offenses, or change the eligibility of a person for community supervision, parole, or mandatory supervision.

RULEMAKING AUTHORITY

It is the committee's opinion that this bill does not expressly grant any additional rulemaking authority to a state officer, department, agency, or institution.

ANALYSIS

H.B. 714 amends the Code of Criminal Procedure to make a defendant who is a veteran of the U.S. armed forces, including a member of the reserves, national guard, or state guard, and who is placed on community supervision, including deferred adjudication community supervision, for a misdemeanor offense eligible to participate in a veterans reemployment program under the bill's provisions. The bill requires the judge granting community supervision to such a defendant to inform the defendant of the defendant's program eligibility but prohibits the judge from requiring the defendant's participation in the program. The bill authorizes the judge to impose on a defendant who chooses to participate in the program any condition of community supervision authorized by state law, except for a condition related to the program or the defendant's participation in the program.

H.B. 714 requires the program to provide participants with access to workforce development education and training courses developed or approved by the Texas Workforce Commission (TWC) for the program, requires those courses to focus on providing a participant with useful workplace skills most likely to lead to gainful employment by the participant, and authorizes those courses to be individualized based on any physical or intellectual limitations of the participant. The bill sets out conditions under which a participant successfully completes the veterans reemployment program. The bill establishes that a defendant is not required to successfully complete the program before the defendant completes the applicable period of community supervision, authorizes the defendant to continue to participate in the program following the defendant's completion of that period, and prohibits a judge from revoking the community supervision of a defendant solely because the defendant fails to successfully complete the program.

H.B. 714 amends the Government Code to require the court, on a defendant's successful completion of the veterans reemployment program and all other conditions of the defendant's community supervision, including deferred adjudication community supervision, and after notice to the state and a hearing on whether issuance of an order of nondisclosure is in the best interest of justice, to enter such an order with respect to all records of the offense for which the defendant was placed on community supervision. This requirement applies regardless of whether the defendant meets the other eligibility criteria under statutory provisions relating to orders of nondisclosure of criminal history record information.

H.B. 714 amends the Labor Code to require the TWC, not later than January 1, 2020, to develop or approve the education and training courses required by the bill for the purpose of assisting eligible veterans in obtaining workforce skills and becoming gainfully employed and to require such courses to provide instruction in workforce skills appropriate for veterans with disabilities.

H.B. 714 applies only to a person placed on community supervision, including deferred adjudication community supervision, on or after January 1, 2020.

EFFECTIVE DATE

On passage, or, if the bill does not receive the necessary vote, September 1, 2019.