

BILL ANALYSIS

H.B. 1092
By: Romero, Jr.
Defense & Veterans' Affairs
Committee Report (Unamended)

BACKGROUND AND PURPOSE

It has been noted that veterans returning home from deployment struggle not only with the physical wounds of war but also with the invisible wounds such as post-traumatic stress disorder and traumatic brain injuries. Some of these veterans have difficulty adjusting to civilian life when returning home as a result of their experiences in the military and unfortunately may become involved in the criminal justice system. There are concerns that, while county sheriffs are required to verify the veteran status of prisoners and assist them in applying for federal veteran benefits, the statutory language regarding the period for performing these checks is vague and that jails perform the checks inconsistently. Additionally, many of these justice-involved veterans cannot afford the cost of postage to mail the benefits requests. H.B. 1092 seeks to address these concerns and provide more support to these veterans by specifying the time when verification of prisoners' veteran status must occur and by establishing certain requirements for county sheriffs that will assist these veterans in obtaining benefits and other support services at no cost to the veteran.

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. 1092 amends the Government Code to require the Texas Department of Criminal Justice, in assisting inmates who are veterans to apply for federal benefits or compensation under a program administered by the U.S. Department of Veterans Affairs, to mail any related paperwork, application, or other correspondence on behalf of and at no charge to the inmate.

H.B. 1092 specifies that a county sheriff's duty to investigate and verify the veteran status of each prisoner applies during the intake process. The bill requires the Commission on Jail Standards to require each county sheriff to do the following with regard to prisoners whose veteran status has been verified:

- provide the prisoner with a prepaid postcard supplied by the Texas Veterans Commission (TVC) for purposes of requesting assistance in applying for veterans benefits;
- allow for the prisoner to have in-person or video visitation with the veterans county service officer for the county or a peer support coordinator at no cost to the prisoner; and
- submit a daily report identifying each prisoner whose status was verified during the previous day to the TVC and, as applicable, the veterans county service officer for the county and each court in which charges against the prisoner are pending.

EFFECTIVE DATE

September 1, 2021.