87R9808 MTB-F

By:  Romero, Jr. H.B. No. 3632

A BILL TO BE ENTITLED

AN ACT

relating to the creation of a continuity of care and service program for veteran offenders; creating a criminal offense.

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

SECTION 1.  Chapter 434, Government Code, is amended by adding Subchapter J to read as follows:

SUBCHAPTER J. CONTINUITY OF CARE FOR VETERAN OFFENDERS

Sec. 434.421.  DEFINITIONS. In this subchapter:

(1)  "Commission" means the Texas Veterans Commission.

(2)  "Veteran offender" includes a veteran of or a person serving on active duty in the armed forces of the United States for whom criminal charges are pending or who after conviction or adjudication is in custody or under any form of criminal justice supervision.

Sec. 434.422.  CONTINUITY OF CARE AND SERVICE PROGRAM FOR VETERAN OFFENDERS. (a)  The commission, the criminal justice division of the governor's office, the Texas Workforce Commission, the Veterans' Land Board, the Commission on Jail Standards, the Texas Department of Criminal Justice, the Health and Human Services Commission, the bureau of identification and records of the Department of Public Safety, representatives of local mental health authorities appointed by the commissioner of the Department of State Health Services, the directors of community supervision and corrections departments, and representatives of veterans treatment court programs established under Chapter 124 shall adopt a memorandum of understanding that establishes their respective responsibilities to institute a continuity of care and service program for veteran offenders in the criminal justice system. The criminal justice division of the governor's office shall coordinate and monitor the development and implementation of the memorandum of understanding.

(b)  The memorandum of understanding must establish methods for:

(1)  identifying veteran offenders in the criminal justice system using data made available from the Veterans Reentry Search Service operated by the United States Department of Veterans Affairs or a similar service;

(2)  developing interagency rules, policies, and procedures for the coordination of care of and exchange of information on veteran offenders by the entities listed in Subsection (a); and

(3)  connecting veteran offenders to services needed to reenter the community successfully using a coordinated online network of public, private, and nonprofit organizations serving veterans, service members, and their families across service regions in this state that is funded by the Texas Workforce Commission.

(c)  The entities listed in Subsection (a) shall:

(1)  operate the continuity of care and service program for veteran offenders in the criminal justice system with any funds appropriated for that purpose; and

(2)  actively seek federal grants or funds to operate and expand the program.

Sec. 434.423.  EXCHANGE OF INFORMATION. (a)  The entities listed in Section 434.422(a) shall:

(1)  accept information relating to a veteran offender that is sent to the entity to serve the purposes of continuity of care and services; and

(2)  disclose information relating to a veteran offender, including information about the offender's identity, needs, treatment, social, criminal, and vocational history, supervision status and compliance with conditions of supervision, and medical and mental health history, if the disclosure serves the purposes of continuity of care and services.

(b)  Information obtained under this section may not be used as evidence in any criminal proceeding, unless obtained and introduced by other lawful evidentiary means.

(c)  An entity listed in Section 434.422(a) shall manage confidential information accepted or disclosed under this section prudently so as to maintain the confidentiality of that information.

(d)  A person commits an offense if the person releases or discloses confidential information obtained under this section for purposes other than continuity of care and services. An offense under this subsection is a Class B misdemeanor.

(e)  It is an exception to the application of Subsection (d) that the person's release or disclosure of information was authorized by other law or with the consent of the person to whom the information relates.

SECTION 2.  Section 411.042, Government Code, is amended by adding Subsection (k) to read as follows:

(k)  The bureau of identification and records shall collect and disseminate information regarding veteran offenders in compliance with Subchapter J, Chapter 434.

SECTION 3.  This Act takes effect September 1, 2021.