

By: Parker

H.B. No. 2352

A BILL TO BE ENTITLED

AN ACT

1  
2 relating to an educational and vocational training pilot program  
3 for certain state jail felony defendants and certain inmates  
4 released on parole; changing parole eligibility.

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

6 SECTION 1. Articles 42A.562(a) and (f), Code of Criminal  
7 Procedure, are amended to read as follows:

8 (a) Except as provided by Subsection (b), a judge assessing  
9 punishment in a state jail felony case may suspend the imposition of  
10 the sentence and place the defendant on community supervision with  
11 the condition [~~conditions~~] that the defendant[+]

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

15 [~~(2)~~] participate in a program operated under Section  
16 493.034 [~~507.007~~], Government Code.

17 (f) A defendant placed on community supervision under this  
18 article must participate fully in the program described by  
19 Subsection (a) [~~(a)(2)~~]. The provisions of Subchapter P authorizing  
20 the judge to revoke a defendant's community supervision or  
21 otherwise sanction the defendant apply with respect to a defendant  
22 who violates the requirement of this subsection.

23 SECTION 2. Section 507.007, Government Code, is transferred  
24 to Chapter 493, Government Code, redesignated as Section 493.034,

1 Government Code, and amended to read as follows:

2 Sec. 493.034 [~~507.007~~]. EDUCATIONAL AND VOCATIONAL  
3 TRAINING PILOT PROGRAM. (a) The department shall establish a pilot  
4 program to provide educational and vocational training,  
5 employment, and reentry services to:

6 (1) defendants placed on community supervision [~~and~~  
7 ~~required to serve a term of confinement in a state jail felony~~  
8 ~~facility~~] under Article 42A.562, Code of Criminal Procedure; and

9 (2) inmates released on parole who are required to  
10 participate in the program as a condition of parole imposed under  
11 Section 508.1455.

12 (b) The department, in consultation with interested  
13 parties, shall determine the eligibility criteria for a defendant  
14 or inmate to participate in the pilot program, including requiring  
15 the defendant or inmate to arrange for suitable housing while  
16 participating in the program.

17 (c) The department, in consultation with interested  
18 parties, shall identify at least two and [~~determine~~] not more than  
19 four ~~locations~~ sites in this state in which the pilot program will  
20 operate. In identifying [~~determining~~] the ~~locations~~ sites, the  
21 department shall consider locating the program in various regions  
22 throughout the state, including locations having a variety of  
23 population sizes. The department is not required to select sites  
24 based on their location, but rather where a pilot or pilots will  
25 have the greatest likelihood of success, regardless of population  
26 size or geographic region. The department shall also give  
27 consideration to whether a risk and needs assessment is generally

1 conducted before sentencing defendants in a particular location and  
2 to the degree to which local judges show support for the  
3 establishment of the program in a particular location.

4 (d) The department shall issue a request for proposals from  
5 public or private entities to provide services through the pilot  
6 program. The department shall select one or more qualified  
7 applicants to provide services through the program to eligible  
8 defendants and inmates.

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

11 (1) an initial period during which the defendant or  
12 inmate will:

13 (A) receive training and education related to the  
14 defendant's or inmate's vocational goals; and

15 (B) be employed by the provider;

16 (2) job placement services designed to provide  
17 employment for the defendant or inmate after the period described  
18 by Subdivision (1);

19 (3) assistance in obtaining a high school diploma or  
20 industry certification for applicable defendants and inmates;

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

23 (5) counseling and mental health services.

24 (f) The department shall limit the number of defendants and  
25 inmates who may participate in the pilot program to not more than 45  
26 individuals [~~defendants~~] per quarter per program location.

27 (g) The department shall pay providers not less than \$40 per

1 day for each participant.

2 SECTION 3. Subchapter E, Chapter 508, Government Code, is  
3 amended by adding Section 508.1455 to read as follows:

4 Sec. 508.1455. EARLY RELEASE ON PAROLE FOR CERTAIN INMATES  
5 REQUIRED TO PARTICIPATE IN EDUCATIONAL AND VOCATIONAL TRAINING  
6 PILOT PROGRAM. (a) This section applies only to an inmate:

7 (1) who is serving a sentence for a felony of the third  
8 degree, other than an offense under Title 5, Penal Code, or under  
9 Chapter 43 or 71 of that code;

10 (2) who has not previously been convicted of a felony  
11 under Title 5, Penal Code, or under Chapter 43 or 71 of that code;  
12 and

13 (3) whose eligibility for parole is computed under  
14 Section 508.145(f).

15 (b) Notwithstanding any other law, a parole panel may  
16 release on parole an inmate described by Subsection (a)  
17 approximately 180 days before the date the inmate would be eligible  
18 for release on parole under Section 508.145(f).

19 (c) A parole panel releasing an inmate on parole under this  
20 section shall require as a condition of release on parole that the  
21 inmate participate in a program operated under Section 493.034, to  
22 begin immediately following the inmate's release on parole.

23 (d) For purpose of consideration by a parole panel for early  
24 release on parole under Subsection (b), the department shall  
25 annually identify not fewer than 100 inmates described by  
26 Subsection (a) who are suitable candidates for participation in a  
27 program operated under Section 493.034. The board and the

1 department shall jointly adopt rules for identifying inmates under  
2 this subsection.

3 (e) The board shall adopt rules governing the release of an  
4 inmate on parole under this section.

5 SECTION 4. Article [42A.562\(d\)](#), Code of Criminal Procedure,  
6 is repealed.

7 SECTION 5. The change in law made by this Act applies to any  
8 inmate who is confined in a facility operated by or under contract  
9 with the Texas Department of Criminal Justice on or after the  
10 effective date of this Act, regardless of whether the offense for  
11 which the inmate is confined occurred before, on, or after the  
12 effective date of this Act.

13 SECTION 6. This Act takes effect September 1, 2021.