

**House Bill 2352**  
Senate Amendments  
Section-by-Section Analysis

HOUSE VERSION

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

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

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

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

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

SECTION 2. Subchapter C, Chapter 72, Government Code, is amended by adding Section 72.036 to read as follows:

Sec. 72.036. TRAINING ON EDUCATIONAL AND VOCATIONAL TRAINING PILOT PROGRAM. The office shall develop and annually provide a training program to educate and inform judges on the components of the pilot program established under Section 493.034.

SECTION 3. Section 507.007, Government Code, is transferred to Chapter 493, Government Code, redesignated as

SENATE VERSION (IE)

SECTION 1. Same as House version.

SECTION 2. Same as House version.

SECTION 3. Same as House version.

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Section 493.034, Government Code, and amended to read as follows:

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

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

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

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

(c) The department, in consultation with interested parties, shall identify at least two and [determine] not more than four sites [locations] in this state in which the pilot program will operate. In identifying [determining] the sites [locations], the department shall consider locating the program in various regions throughout the state, including locations having a variety of population sizes, provided that the department shall select sites based on where the program will have the greatest likelihood of success and regardless of geographic region or population size. The department shall also give consideration to whether a risk and needs assessment is generally conducted before sentencing defendants in a particular location and to the degree to which local judges show support for the

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establishment of the program in a particular location.

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

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

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

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

(B) be employed by the provider;

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

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

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

(5) counseling and mental health services.

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

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

SECTION 4. Subchapter E, Chapter 508, Government Code, is amended by adding Section 508.1455 to read as follows:  
Sec. 508.1455. EARLY RELEASE ON PAROLE FOR

SECTION 4. Same as House version.

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CERTAIN INMATES REQUIRED TO PARTICIPATE IN EDUCATIONAL AND VOCATIONAL TRAINING PILOT PROGRAM. (a) This section applies only to an inmate:

(1) who is serving a sentence for an offense under Chapter 481, Health and Safety Code, that is punishable as a felony of the third degree;

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

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

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

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

(d) For purpose of consideration by a parole panel for early release on parole under Subsection (b), the department shall annually identify not fewer than 100 inmates described by Subsection (a) who are suitable candidates for participation in a program operated under Section 493.034. The board and the department shall jointly adopt rules for identifying inmates under this subsection. The rules must require the board or the department to notify an inmate that the inmate is being considered for release on parole under this section.

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

(f) An inmate who is considered for but not granted release

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on parole under this section shall be considered for release on parole on the date that the inmate otherwise would have been considered for release on parole under this chapter.

SECTION 5. Article 42A.562(d), Code of Criminal Procedure, is repealed.

SECTION 6. The change in law made by this Act applies to any inmate who is confined in a facility operated by or under contract with the Texas Department of Criminal Justice on or after the effective date of this Act, regardless of whether the offense for which the inmate is confined occurred before, on, or after the effective date of this Act.

No equivalent provision.

SECTION 7. This Act takes effect September 1, 2021.

SENATE VERSION (IE)

SECTION 5. Same as House version.

SECTION 6. Same as House version.

Same as House version. SECTION 7. [Deleted by FA1]

SECTION 8. Same as House version.

CONFERENCE