

## **BILL ANALYSIS**

C.S.H.B. 2305  
By: Sherman, Sr.  
Corrections  
Committee Report (Substituted)

### **BACKGROUND AND PURPOSE**

Texas recidivism reporting currently only focuses on individuals that have been arrested within three years after being incarcerated in the Texas Department of Criminal Justice or Texas Juvenile Justice Department. It does not, however, include individuals who have been reincarcerated or repeatedly incarcerated at the county level. The inclusion of county data not only provides data to make more informed decisions within county jails and district attorney offices, but it also measures the effectiveness of rehabilitation by individuals who served time in local jails. C.S.H.B. 2305 seeks to require reporting of rearrest and reincarceration rates beyond the state-only purview to include county analytics of the 10 most populous counties in Texas.

### **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**

C.S.H.B. 2305 amends the Government Code to require the Legislative Budget Board (LBB), in collaboration with the Department of Public Safety (DPS) and each county sheriff, to prepare a biennial report on recidivism that includes rearrest and reincarceration rates. The report must include the following:

- statewide rearrest and reincarceration rates for individuals released from the Texas Department of Criminal Justice (TDCJ) or the Texas Juvenile Justice Department (TJJD); and
- rearrest and reincarceration rates for all individuals for the following counties:
  - Bexar County;
  - Collin County;
  - Dallas County;
  - Denton County;
  - El Paso County;
  - Fort Bend County;
  - Harris County;
  - Hidalgo County;
  - Tarrant County; and
  - Travis County.

The bill requires DPS and each county sheriff to provide any information requested by the LBB for the purpose of preparing the report. The bill authorizes the report to be included in any other

report made by the LBB, but requires the LBB to submit the report to the governor, lieutenant governor, and each member of the legislature not later than the last day of February of each odd-numbered year.

### **EFFECTIVE DATE**

September 1, 2023.

### **COMPARISON OF INTRODUCED AND SUBSTITUTE**

While C.S.H.B. 2305 may differ from the introduced in minor or nonsubstantive ways, the following summarizes the substantial differences between the introduced and committee substitute versions of the bill.

The substitute changes the required contents of the report that appeared in the introduced as follows:

- by omitting statewide reconviction rates and reconviction rates for each county, which were included in the introduced, from the required contents;
- by replacing rearrest and reincarceration rates for each county, as in the introduced, with rearrest and reincarceration for all individuals for specified counties;
- by including a specification absent from the introduced that the statewide rearrest and reincarceration rates included in the report are rates for individuals released from TDCJ or TJJD; and
- by omitting information regarding individuals who have served any part of a sentence in a county jail and individuals who are rearrested, reconvicted, or reincarcerated in other states, which were included in the introduced, from the required contents.

While both the introduced and substitute require the LBB to collaborate with DPS in preparing the report and requires DPS to provide any requested information for that purpose, the substitute requires the LBB to also collaborate with each county sheriff in doing so and requires each county sheriff to provide any requested information for that purpose, whereas the introduced did not include any such requirements relating to the sheriffs.

The substitute changes the deadline for the report from December 1 of each even-numbered year, as in the introduced, to the last day of February of each odd-numbered year.

Whereas the introduced provided for the bill's possible immediate effect, contingent on receiving the requisite constitutional vote, the substitute changes the bill's effective date to September 1, 2023, with no possibility for immediate effect.