

BILL ANALYSIS

H.B. 2749
By: Romero, Jr.
Defense & Veterans' Affairs
Committee Report (Unamended)

BACKGROUND AND PURPOSE

According to the Governor's Office, there are more than 1.4 million veterans in Texas. Veterans returning home from deployment can struggle not only with physical wounds of war, but also the "invisible" wounds of war such as post-traumatic stress disorder and traumatic brain injury. These veterans are not typically criminals before their military service, but some of them have difficulty adjusting to civilian life when they return home as a result of their experience in the military and, tragically, become involved in the criminal justice system. While the Texas Department of Criminal Justice and county sheriffs are required to verify the veteran status of an inmate or prisoner and assist them in applying for federal benefits, this system fails in two specific ways. First, the statutory language regarding the frequency for performing these checks is too vague, resulting in jails performing the checks inconsistently or not at all. Second, some justice-involved veterans cannot afford even the small cost of postage to mail the paperwork relating to those benefits. H.B. 2749 seeks to ensure that justice-involved veterans who have served our country receive the assistance they deserve 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. 2749 amends the Government Code to require the Texas Department of Criminal Justice (TDCJ), 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. 2749 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 service coordinator at no cost to the prisoner; and

- submit a daily report identifying each prisoner whose status was verified during the previous day to TVC and, as applicable, the veterans county service officer for the county and each court in which charges against the prisoner are pending.

H.B. 2749 amends the Code of Criminal Procedure to require a county that transfers a defendant to TDCJ to deliver to an officer designated by TDCJ the defendant's veteran status as determined by the county sheriff's investigation during the county jail intake process.

EFFECTIVE DATE

September 1, 2023.