

BILL ANALYSIS

H.B. 5158
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Corrections
Committee Report (Unamended)

BACKGROUND AND PURPOSE

Veterans treatment courts are specialized courts that provide support and resources to veterans who have become involved with the criminal justice system, often as a result of underlying mental health or substance abuse issues stemming from their service. These courts were first instituted in Texas in 2009 using the paradigm of specialty courts established in 2001. The courts are designed to divert veterans from traditional criminal court proceedings by offering an alternative path that emphasizes treatment and rehabilitation over punishment.

Military service is a common path to citizenship for those wishing to become U.S. citizens, with tens of thousands of noncitizens with legal permanent residence currently serving honorably in the U.S. armed forces. However, those who have not yet completed the naturalization process are susceptible to greater penalties than their fellow service members and veterans who are U.S. citizens for minor offenses, namely deportation. The state has consistently worked to support all veterans regardless of their citizenship status, including through the passage of S.B. 886 in the 87th Regular Session, which required the Texas Veterans Commission, on a veteran's request, to evaluate the veteran's citizenship status in order to educate and direct the veteran in becoming a U.S. citizen and to facilitate the veteran's naturalization process.

Service members and veterans should not be denied access to specialized judicial remedies on account of their citizenship status. H.B. 5158 seeks to address this issue by prohibiting access to a veterans treatment court program from being limited or denied to any veteran or member of the U.S. armed forces solely based on the veteran's or member's citizenship status.

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. 5158 amends the Government Code to prohibit access to a veterans treatment court program from being limited or denied to any veteran or member of the U.S. armed forces solely based on the veteran's or member's citizenship status.

EFFECTIVE DATE

September 1, 2023.