

## **BILL ANALYSIS**

H.B. 5183  
By: Guillen  
Corrections  
Committee Report (Unamended)

### **BACKGROUND AND PURPOSE**

There is confusion regarding what type of treatment facilities the Department of State Health Services (DSHS) needs to monitor and coordinate, and for which they need to provide training, with regard to equivalent educational programs for individuals whose driver's license is suspended following conviction of certain drug offenses. This confusion has rendered DSHS unable to adequately fulfill its responsibilities with regard to these facilities. H.B. 5183 seeks to provide clarity regarding DSHS's duties relating to these treatment facilities and programs.

### **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. 5183 amends the Transportation Code to clarify the duties of the Department of State Health Services (DSHS) with regard to equivalent educational programs for persons whose driver's license is suspended following conviction of certain drug offenses. The bill does the following:

- restricts the residential treatment facilities DSHS must monitor and coordinate, and for which DSHS must provide training, to chemical dependency treatment facilities; and
- restricts the facilities DSHS must administer the approval of equivalent education provided in the facilities to the following facilities:
  - a substance abuse treatment facility or substance abuse felony punishment facility operated by the Texas Department of Criminal Justice (TDCJ); and
  - a community corrections facility.

H.B. 5183 requires TDCJ or a community supervision and corrections department operating such an equivalent educational program to submit information regarding the program to DSHS for approval. This requirement applies to a program operating in the following facilities:

- a substance abuse treatment facility or substance abuse felony punishment facility operated by TDCJ; and
- a community corrections facility.

### **EFFECTIVE DATE**

September 1, 2023.