

BILL ANALYSIS

Senate Research Center

S.B. 2405
By: Parker et al.
Criminal Justice
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Enrolled

AUTHOR'S / SPONSOR'S STATEMENT OF INTENT

The Texas Department of Criminal Justice (TDCJ) works with the Board of Pardons and Paroles (BPP), Windham School District, and the Correctional Managed Health Care Committee to confine, supervise, and provide services for adults convicted of certain crimes in Texas. The Sunset Advisory Commission (Sunset) found that some Texas prison locations make hiring sufficient correctional staff nearly impossible, compounding TDCJ's prison capacity challenges as the agency faces a rising inmate population and significant modernization needs, and made recommendations accordingly. Sunset's recommendations also address deficiencies in TDCJ's approach to rehabilitation programs and would improve TDCJ's parole supervision activities to ease burdens on the parole staff who serve a critical public safety role in Texas communities.

Windham provides educational programs and services in the correctional setting. Sunset found Windham to be well-functioning and recommends postsecondary education administration transfer from TDCJ to Windham and that TDCJ work with Windham to create a strategic plan for its rehabilitation and reentry programs. Separately, Sunset found the Correctional Managed Health Care Committee's role, which primarily is to develop and approve a managed healthcare plan for inmates, to be functioning adequately, and only made recommendations to conform committee statutes to standard Sunset language generally applied to all state agencies.

Finally, Sunset made recommendations to improve the fairness, consistency, and transparency of the decision-making processes of BPP, which makes clemency recommendations and determines which eligible inmates to release early from TDCJ custody. These recommendations include BPP better collaborating with TDCJ to regularly assess the application of special parole conditions and improving BPP's Medically Recommended Intensive Supervision (MRIS) process.

TDCJ is subject to abolishment under the Sunset Act on September 1, 2025, unless continued by the legislature. The other three entities are not subject to abolishment and would be reviewed again alongside TDCJ if continued.

Major Provisions in Introduced Version of Sunset Legislation:

- Requires TDCJ to create a long-term facilities and staffing plan.
- Requires TDCJ to comprehensively inventory rehabilitation and reentry programs, conduct biennial program evaluations, and recommend changes to programs when needed.
- Requires TDCJ to develop a strategic plan for rehabilitation and reentry programs in conjunction with Windham and report on implementation status biennially.
- Requires TDCJ, BPP, and Windham to collaborate in developing evidence-based program criteria and to develop and maintain associated program lists.
- Abolishes the statutory parole officer salary career ladder and parole caseload ratios, and instead requires TDCJ to establish both in rule.

- Prohibits TDCJ from making recommendations of additional special parole conditions prior to release and establishes a special conditions working group consisting of parole voters and TDCJ Parole Division staff.
- Requires BPP to report outcomes by parole panel for release decisions, special conditions, and revocations and incorporate the findings into training for voters and staff.
- Requires BPP to provide training for MRIS voters, establish a process in rule to assess an inmate's prognosis for MRIS cases, and establish in rule the factors considered in MRIS decisions.
- Requires TDCJ to provide annual trainings to counties on how to submit commitment documents, known as "pen packets."
- Authorizes Windham to share data with the Texas Higher Education Coordinating Board to facilitate the transfer of postsecondary education administration from TDCJ to Windham.
- Continues TDCJ and its board for 12 years, and requires that at least two board members have significant business or corporate experience.

Major Changes in Committee Substitute:

- A number of nonsubstantive cleanups to agency statute requested by the agency.
- Changes to the Long-Term Facilities and Staffing Plan to allow for more flexibility and reduce duplication of efforts.
- Codification of the Office of the Inspector General.
- Compensatory time updates to incentivize officer retention.

S.B. 2405 amends current law relating to the continuation and functions of the Texas Board of Criminal Justice and the Texas Department of Criminal Justice and to the functions of the Board of Pardons and Paroles, the Correctional Managed Health Care Committee, the Texas Correctional Office on Offenders with Medical or Mental Impairments, and the Windham School District.

RULEMAKING AUTHORITY

Rulemaking authority is expressly granted to the Texas Board of Criminal Justice in SECTION 41 (Section 499.101, Government Code), SECTION 81 (Section 508.1131, Government Code), and SECTION 82 (Section 508.1142, Government Code) of this bill.

Rulemaking authority is expressly granted to the Board of Pardons and Paroles in SECTION 85 (Section 508.146, Government Code) of this bill.

Rulemaking authority is expressly granted to the Texas Workforce Commission in SECTION 99 (Section 614.014, Health and Safety Code) and SECTION 100 (Section 614.015, Health and Safety Code) of this bill.

Rulemaking authority previously granted to the Texas Board of Criminal Justice is modified in SECTION 16 (Section 492.013, Government Code) of this bill.

Rulemaking authority previously granted to the Texas Department of Criminal Justice is modified in SECTION 30 (Section 497.094, Government Code) of this bill.

Rulemaking authority previously granted to the Texas Workforce Investment Council is modified in SECTION 30 (Section 497.094, Government Code) of this bill.

SECTION BY SECTION ANALYSIS

SECTION 1. Amends Article 2A.001, Code of Criminal Procedure, to provide that certain individuals are peace officers, including an officer commissioned by the inspector general of the Board of Pardons and Paroles (BPP), rather than appointed by the inspector general of the Texas Department of Criminal Justice (TDCJ), under Section 493.019, Government Code.

SECTION 2. Amends Article 66.351, Code of Criminal Procedure, to require the Department of Public Safety of the State of Texas (DPS) and TDCJ, with advice from Department of Information Resources (DIR), rather than with advice from the Criminal Justice Policy Council (council) and DIR, to develop biennial plans to achieve certain goals.

SECTION 3. Amends Articles 66.352(a), (c), (d), (e), and (f), Code of Criminal Procedure, as follows:

(a) Requires the state auditor, rather than the council, at least once during each five-year period, to conduct, rather than coordinate, an examination of the records and operations of the criminal justice information system to ensure the accuracy and completeness of information in the system and the promptness of information reporting.

(c) Authorizes DPS and TDCJ, rather than DPS, TDCJ, and the council, to examine the records of the agencies required to report information to DPS or TDCJ. Makes nonsubstantive changes.

(d) Requires the state auditor, rather than the examining entity under Subsection (b) (relating to requiring the state auditor or other appropriate entity selected by the council to conduct a certain examination), to submit to the legislature and the governor, rather than the legislature and the council, a report that summarizes the findings of each examination and contains recommendations for improving the criminal justice information system.

(e) Requires DPS, not later than the first anniversary of the date the state auditor submits a report under Subsection (d), to report to the Legislative Budget Board (LBB) and the governor, rather than the LBB, the governor, and the council, DPS's progress in implementing the state auditor's recommendations, including the reason for not implementing any recommendation. Makes conforming changes.

(f) Makes a conforming change to this subsection.

SECTION 4. Amends Section 19.003, Education Code, to provide that the goals of the Windham School District (district) in educating its students include certain initiatives, including increasing the success of former students, rather than former inmates, in obtaining and maintaining employment, and providing an incentive to students, rather than inmates, to behave in positive ways during confinement or imprisonment.

SECTION 5. Amends Section 19.004(c), Education Code, as follows:

(c) Requires the district to:

(1) develop educational programs specifically designed for persons eligible under Section 19.005 (Eligibility for Certain Programs and Services) and ensure that those programs, such as high school equivalency program and an English as a second language program, rather than such as GED and ESL, are integrated with an applied career and technical, rather than vocational, context leading to employment;

(2)-(3) makes conforming and nonsubstantive changes to these subdivisions; and

(4) redesignates existing Subdivision (2) as Subdivision (4) and makes no further changes.

Makes nonsubstantive changes to this subsection.

SECTION 6. Amends Section 19.0041(a), Education Code, as follows:

(a) Requires the district, to evaluate the effectiveness of its programs, to compile and analyze information for each of its programs, including performance-based information and data related to academic, career and technical education, life skills, and postsecondary education programs. Requires that the information be disaggregated by sex and include for each person who participates in district programs an evaluation of certain factors, including the number and percentage of students who completed training in a regulated industry who applied for and were issued or denied a certificate or license by a state agency. Makes conforming and nonsubstantive changes.

SECTION 7. Amends Section 19.0042, Education Code, as follows:

Sec. 19.0042. New heading: INFORMATION TO BE PROVIDED BY DISTRICT BEFORE CAREER AND TECHNICAL EDUCATION PROGRAM ENROLLMENT. Makes conforming changes to this section.

SECTION 8. Amends Section 19.010(a), Education Code, to make a conforming change.

SECTION 9. Amends Section 19.011, Education Code, by amending Subsection (b) and adding Subsection (c), as follows:

(b) Makes conforming change to this subsection.

(c) Authorizes the district to enter into an agreement with a governmental entity, including the Texas Workforce Commission (TWC), DPS, the Texas Department of Licensing and Regulation (TDLR), other regulatory entities, or the Texas Higher Education Coordinating Board (THECB), to obtain and share data necessary to support and evaluate district and postsecondary education programs within TDCJ.

SECTION 10. Amends Chapter 19, Education Code, by adding Sections 19.012 and 19.013, as follows:

Sec. 19.012. POSTSECONDARY EDUCATION. Requires the district and TDCJ to enter into a memorandum of understanding for postsecondary education programs to be administered by the district.

Sec. 19.013. POSTSECONDARY EDUCATION ADVISORY BOARD. (a) Requires the district to establish a postsecondary education advisory board to advise the district and TDCJ regarding postsecondary education programs.

(b) Provides that the advisory board is composed of members who are relevant stakeholders, including representatives of certain entities.

SECTION 11. Amends Section 491.001(a), Government Code, by amending Subdivisions (6) and (7) and adding Subdivision (6-a), as follows:

(6) Defines "office of the independent auditor." Deletes existing definition of "internal audit division."

(6-a) Defines "office of the inspector general."

(7) Defines "parole division." Deletes existing definition of "pardons and paroles division."

SECTION 12. Amends Section 491.001(b)(1), Government Code, to redefine "Board of Pardons and Paroles."

SECTION 13. Amends Section 492.002(a), Government Code, to require at least two members of the Texas Board of Criminal Justice (TBCJ) to have significant business or corporate experience.

SECTION 14. Amends Section 492.0031, Government Code, by amending Subsection (b) and adding Subsection (d), as follows:

(b) Requires that the training program for a person who is appointed to and qualifies for office as a member of TBCJ provide the person with information regarding:

(1) the law governing TBCJ and TDCJ operations, rather than the legislation that created TDCJ and TBCJ;

(2) the programs, functions, rules, and budget of TDCJ, rather than the programs operated by TDCJ;

(3) the scope of and limitations on the rulemaking authority of TBCJ, rather than the role and functions of TDCJ;

(4) redesignates existing Subdivision (6) as Subdivision (4) and makes no further changes;

(5) the requirements of the laws relating to open meetings, public information, administrative procedure, and disclosing conflicts of interest, rather than the open meetings law, Chapter 551 (Open Meetings), and other laws applicable to members of a state policy-making body in performing their duties, rather than the public information law, Chapter 552 (Public Information); and

(6) redesignates existing Subdivision (8) as Subdivision (6) and makes no further changes.

Deletes existing text requiring that the training program provide the person with information regarding the rules of TDCJ, with an emphasis on the rules that relate to disciplinary and investigatory authority, the current budget for TDCJ, and the requirements of the administrative procedure law, Chapter 2001 (Administrative Procedure), and other laws relating to public officials, including conflict of interest laws. Makes nonsubstantive changes.

(d) Requires the executive director of TDCJ (executive director) to create a training manual that includes the information required by Subsection (b). Requires the executive director to distribute a copy of the training manual annually to each member of TBCJ. Requires each member of TBCJ to sign and submit to the executive director a statement acknowledging that the member received and has reviewed the training manual.

SECTION 15. Amends Section 492.012, Government Code, to provide that, unless continued in existence as provided by Chapter 325 (Texas Sunset Act), TBCJ and TDCJ are abolished September 1, 2037, rather than September 1, 2025.

SECTION 16. Amends Section 492.013, Government Code by amending Subsections (a), (c), and (e) and adding Subsections (a-1) and (b-1), as follows:

(a) Requires TBCJ to maintain oversight and supervision of certain independent reporting entities.

(a-1) Creates this subsection from existing text. Authorizes TBCJ to adopt rules as necessary for its own procedures and for operation of TDCJ and the independent reporting entities.

(b-1) Requires TBCJ to employ a director for each independent reporting entity, and provides that each director serves at the pleasure of TBCJ.

(c) Requires TBCJ to approve the operating budget of and requests for appropriations for TDCJ and the independent reporting entities, rather than approve the operating budget of TDCJ and TDCJ's request for appropriations.

(e) Makes a conforming change to this subsection.

SECTION 17. Amends Section 493.002(a), Government Code, as follows:

(a) Provides that certain divisions are within TDCJ, including the parole division, rather than the pardons and paroles division, and the rehabilitation and reentry division, rather than the programs and services division. Deletes existing text including the state jail division and the internal audit division among the divisions that are within TDCJ. Makes nonsubstantive changes.

SECTION 18. Amends Section 493.0021(a), Government Code, as follows:

(a) Authorizes the executive director, notwithstanding certain sections, including Section 493.0053, rather than Section 493.0051 (State Jail Division), with approval of TBCJ, to take certain actions. Makes nonsubstantive changes.

SECTION 19. Amends Section 493.004, Government Code, to require the institutional division of TDCJ (institutional division) to operate and manage the state prison system and state jails to confine defendants described by Section 507.002 (Eligible Defendants), and to make nonsubstantive changes.

SECTION 20. Amends Section 493.005, Government Code, as follows:

Sec. 493.005. New heading: PAROLE DIVISION. Requires the parole division to supervise and reintegrate individuals, rather than felons, into society after release from confinement. Makes a conforming change.

SECTION 21. Amends Section 493.0052, Government Code, as follows:

Sec. 493.0052. New heading: OFFICE OF THE INDEPENDENT AUDITOR. (a) Provides that the office of the independent auditor is established under the supervision of TBCJ.

(b) Creates this subsection from existing text. Requires TBCJ to hire a director for the office of the independent auditor, rather than the internal audit division.

(c) Redesignates existing Subsection (b) as Subsection (c) and makes conforming changes.

(d) Redesignates existing Subsection (c) as Subsection (d) and makes conforming changes.

(e) Redesignates existing Subsection (d) as Subsection (e) and makes no further changes.

SECTION 22. Amends Section 493.0053, Government Code, as follows:

Sec. 493.0053. New heading: REHABILITATION AND REENTRY DIVISION. Makes conforming changes to this section.

SECTION 23. Amends Section 493.0083, Government Code, to make a conforming change.

SECTION 24. Amends Chapter 493, Government Code, by adding Section 493.0084, as follows:

Sec. 493.0084. INVENTORY AND EVALUATION OF ACTIVE PROGRAMS. (a) Requires TDCJ to develop and maintain a comprehensive inventory of active programs and activities offered in TDCJ facilities that includes the following information for each program: program goals, program capacity, and facilities where the program is offered.

(b) Requires TDCJ to make the inventory available to the public on TDCJ's Internet website and continuously update the inventory.

(c) Requires TDCJ to collect and analyze data for the programs described by Subsection (a) to provide oversight of the programs and to improve program offerings.

(d) Requires TDCJ, in carrying out TDCJ's duties under Subsection (c), to:

(1) for programs claiming rehabilitative or reentry effects:

(A) collect results-based performance data;

(B) work with qualified internal or external researchers to develop criteria to evaluate the programs; and

(C) use the criteria developed under Paragraph (B) to evaluate the programs, including the data described by Paragraph (A);

(2) create a separate correctional elective programs and activities category for non-evidence-based and non-evidence-informed programs and develop criteria to evaluate the programs;

(3) collect and analyze relevant data for program participants in programs claiming rehabilitative or reentry effects, such as certain metrics;

(4) use the data described by Subdivision (3) to produce and compare recidivism rates and other correctional impact trends and to make changes to the programs as needed.

(e) Authorizes TDCJ to make structural or programmatic adjustments to improve program performance in response to a program evaluation under this section indicating poor program performance.

(f) Requires TDCJ, not later than December 1 of each even-numbered year, to submit a report on TDCJ's analysis of programs described by Subsection (a) to certain entities.

(g) Authorizes TDCJ to enter into a memorandum of understanding with certain other entities to obtain and share data necessary to evaluate programs under this section.

SECTION 25. Amends Section 493.009(f)(4), Government Code, to make conforming changes.

SECTION 26. Amends Section 493.016(d), Government Code, to require TDCJ to provide notice, rather than a written copy, of TDCJ's policies and procedures relating to complaint investigation and resolution to certain persons.

SECTION 27. Amends Section 493.019, Government Code, as follows:

Sec. 493.019. New heading: OFFICE OF THE INSPECTOR GENERAL. (a) Provides that the office of the inspector general (OIG) is established under the direction of TBCJ as an independent law enforcement agency and is responsible for preventing and

investigating offenses committed by TDCJ employees and inmates and offenses committed at certain facilities.

(b) Requires TBCJ to employ a commissioned peace officer as the inspector general, who is authorized to be terminated by TBCJ action.

(c) Creates this subsection from existing text. Authorizes the inspector general to employ and commission peace officers for the purpose of carrying out the duties described by this section, rather than appoint employees who are certified by the Texas Commission on Law Enforcement as qualified to be peace officers to serve under the direction of the inspector general and assist the inspector general in performing the enforcement duties of TDCJ.

(d) Requires peace officers employed and commissioned under Subsection (c) to meet certain criteria.

(e) Requires OIG to work cooperatively with other law enforcement agencies while performing its duties under this section or other law.

SECTION 28. Amends Chapter 493, Government Code, by adding Section 493.036, as follows:

Sec. 493.036. LONG-TERM FACILITIES PLAN. (a) Requires TDCJ prepare a 10-year plan that identifies TDCJ's facility and capacity needs.

(b) Provides that TDCJ, in developing the plan under Subsection (a), is required to consider the various regional needs of the state, including any ancillary or community benefits associated with TDCJ facilities, and authorized to contract with a third party as needed.

(c) Requires TDCJ, not later than December 1, 2026, and every fourth anniversary of that date, to submit the plan to TBCJ for approval and the approved plan to certain entities.

SECTION 29. Amends Section 497.022, Government Code, to make nonsubstantive changes.

SECTION 30. Amends Section 497.094(b), Government Code, as follows:

(b) Requires TDCJ and the Texas Workforce Investment Council by rule to adopt a memorandum of understanding that establishes the respective responsibility of those entities to provide through local workforce development boards job training and employment assistance to persons formerly sentenced to the custody of TDCJ, rather than formerly sentenced to the institutional division or the state jail division, and information on services available to employers or potential employers of those persons.

SECTION 31. Amends Section 497.112, Government Code, as follows:

Sec. 497.112. AGRICULTURAL EFFICIENCY AND ECONOMY. (a) Requires TDCJ, rather than the institutional division, to review annually TDCJ's agricultural operations, rather than the agricultural operations of the division. Makes a conforming change.

(b)-(c) Makes conforming changes to these subsections.

SECTION 32. Amends Section 498.001(1), Government Code, to redefine "inmate."

SECTION 33. Amends Section 499.001(3), Government Code, to redefine "pre-parolee."

SECTION 34. Amends Sections 499.002(a) and (b), Government Code, to make conforming changes.

SECTION 35. Amends Sections 499.0021(b) and (c), Government Code, to make conforming changes.

SECTION 36. Amends Sections 499.003(b), (c), and (d), Government Code, to make conforming changes.

SECTION 37. Amends Sections 499.004(b), (c), and (d), Government Code, to make conforming changes.

SECTION 38. Amends Sections 499.022(a) and (c), Government Code, to make conforming changes.

SECTION 39. Amends Sections 499.025(a) and (b), Government Code, as follows:

(a) Requires the executive director, if the inmate population of TDCJ reaches 99 percent or more of capacity, to immediately notify TBCJ, rather than the executive director and TBCJ, in writing of that fact. Makes conforming changes.

(b) Requires the executive director, if the inmate population of TDCJ reaches 100 percent of capacity or, if TBCJ, rather than the attorney general, has authorized an increase in the permissible percentage of capacity under Section 499.109, the inmate population reaches that increased permissible percentage, to immediately notify TBCJ and the attorney general, rather than the executive director, TBCJ, and the attorney general, in writing of that fact. Makes conforming changes.

SECTION 40. Amends Section 499.026(b), Government Code, to make a conforming change.

SECTION 41. Amends Section 499.101, Government Code, as follows:

Sec. 499.101. New heading: MAXIMUM CAPACITIES. (a) Requires TBCJ by rule to establish maximum capacities for the units in TDCJ. Deletes existing text providing certain maximum capacities for certain units in the institutional division.

(b) Provides that it is the intent of the legislature that as case law evolves and indicates that maximum capacities for units in TDCJ, rather than established under Subsection (a), are authorized to be increased, the staff of TDCJ is required to use the procedures established by Subchapter E (Unit and System Capacity) to increase those capacities. Makes a conforming change.

SECTION 42. Amends Section 499.102, Government Code, to make conforming changes.

SECTION 43. Amends Section 499.104, Government Code, as follows:

Sec. 499.104. OFFICERS' REVIEW AND RECOMMENDATION. Requires certain persons, including the the deputy director for programs, the division director for health services, rather than the deputy director for health services, and the division director for classification and inmate transportation, rather than the assistant director for classification and treatment, to independently review certain documents.

SECTION 44. Amends Section 499.105, Government Code, as follows:

Sec. 499.105. New heading: BOARD REVIEW AND IMPLEMENTATION; NOTICE TO GOVERNOR. Authorizes TBCJ to establish a new maximum capacity based on the accepted or modified recommendation forwarded to TBCJ under Section 499.104. Requires TBCJ to forward the recommendation or modified recommendation and findings to the governor. Makes nonsubstantive changes.

SECTION 45. Amends Section 499.108(b), Government Code, as follows:

(b) Requires that maximum capacity for a unit be established under Section 499.108 (Capacity for New Units) in the same manner as maximum capacity for a unit is increased under certain sections, rather than certain sections, including Sections 499.106 (Governor's Review and Recommendation) and 499.107 (Attorney General Review; Board Decision), except that time limits on official actions imposed by those sections do not apply. Makes nonsubstantive changes.

SECTION 46. Amends Section 499.109, Government Code, as follows:

Sec. 499.109. SYSTEM CAPACITY. (a) Makes conforming changes to this subsection.

(b) Provides that TBCJ is authorized to authorize TDCJ to increase the inmate population of TDCJ above 100 percent, but only if certain criteria are met, including if the administration of TDCJ and TBCJ, rather than the administration of TDCJ, TBCJ, and the governor, approve of the increase, in the same manner as increases in capacity of individual units are approved under Sections 499.104 and 499.105 of the Government Code, rather than Sections 499.104, 499.105, and 499.106 of the Government Code. Makes conforming changes.

(c) Makes conforming changes to this subsection.

SECTION 47. Amends Subchapter F, Chapter 499, Government Code, by adding Section 499.1214, as follows:

Sec. 499.1214. PEN PACKET SUBMISSION TRAINING. (a) Requires TDCJ to develop and provide annual training for county employees on the submission of documents required before TDCJ takes custody of a person being transferred from a county jail to TDCJ, including documents required under certain provisions of the Code of Criminal Procedure.

(b) Authorizes the training required under this section to be offered in person or online. Authorizes online training to be offered live or prerecorded.

SECTION 48. Amends Section 499.156, Government Code, as follows:

Sec. 499.156. VOCATIONAL TRAINING. Requires TDCJ to adopt a policy under which a representative of a public or private entity, including a public or private institution of higher education, is authorized to provide vocational training on a voluntary basis to inmates, rather than to inmates confined in a transfer facility authorized under Subchapter G (Transfer Facilities).

SECTION 49. Amends Section 501.002, Government Code, as follows:

Sec. 501.002. ASSAULT BY EMPLOYEE ON INMATE. Requires the executive director, if an employee of TDCJ commits an assault on an inmate housed in a facility operated by or under contract with TDCJ, to refer the matter to an appropriate law enforcement official, rather than to file a complaint with the proper official of the county in which the offense occurred.

SECTION 50. Amends Section 501.009, Government Code, as follows:

Sec. 501.009. New heading: VOLUNTEER AND FAITH-BASED ORGANIZATIONS. (a) Requires TDCJ to adopt a policy that requires TDCJ staff, rather than each warden, to identify volunteer and faith-based organizations that provide programs for inmates housed in facilities operated by TDCJ. Requires that the policy require the staff to actively encourage volunteer and faith-based organizations to provide certain programs for inmates in TDCJ facilities, rather than the warden's facility. Makes a conforming change.

(b) Requires that the policy require the staff to solicit feedback from the warden and chaplains of each facility on the facility's needs regarding volunteer and faith-based organization provided programs.

(c) Creates this subsection from existing text. Requires TDCJ to include in the biennial report required under Section 493.0084(f) a summary of the programs provided to inmates under this section and the actions taken to identify volunteer and faith-based organizations willing to provide programs to inmates and to encourage those organizations to provide programs in TDCJ facilities.

Deletes existing text requiring that the policy require that each warden submit a report to TBCJ not later than December 31 of each year that includes, for the preceding fiscal year, a summary of the actions taken by the warden to identify volunteer and faith-based organizations willing to provide programs to inmates and to encourage those organizations to provide programs in the warden's facility.

SECTION 51. Amends Sections 501.015(b) and (d), Government Code, as follows:

(b) Makes conforming and nonsubstantive changes to this subsection.

(d) Requires TDCJ, rather than the director of the institutional division, to provide the Comptroller of Public Accounts of the State of Texas (comptroller) with funds sufficient to maintain not less than \$100,000 in a bank or banks in this state, rather than in Huntsville, Texas, for the purpose of making prompt payments to inmates required by Subsection (b) (relating to entitling an inmate who is released on parole to receive \$100 from TDCJ and transportation at the expense of TDCJ).

SECTION 52. Amends Section 501.017(b), Government Code, to prohibit TDCJ from enforcing a claim or lien established under Section 501.017 (Cost of Confinement as Claim) if the inmate has a surviving spouse or a surviving dependent or child with a disability, rather than a disabled child.

SECTION 53. Amends Section 501.054(h), Government Code, to require TDCJ to report to the legislature not later than December 1 of each even-numbered year, rather than January 15 of each odd-numbered year, concerning the implementation of Section 501.054 (AIDS and HIV Education; Testing) and the participation of inmates and employees of TDCJ in education programs established under this section.

SECTION 54. Amends Section 501.055(a), Government Code, to require an employee of a facility who is in charge of an inmate, if the inmate dies while in the custody of TDCJ, to immediately notify the nearest justice of the peace serving in the county in which the inmate died and OIG, rather than the office of internal affairs for TDCJ.

SECTION 55. Amends Sections 501.057(a) and (b), Government Code, to make nonsubstantive changes.

SECTION 56. Amends the heading to Section 501.069, Government Code, to read as follows:

Sec. 501.069. OFFENDERS WITH INTELLECTUAL OR DEVELOPMENTAL DISABILITIES PROGRAM.

SECTION 57. Amends Section 501.092(i), Government Code, to require TDCJ, not later than December 1 of each even-numbered year, rather than September 1 of each even-numbered year, to deliver a report of the results of evaluations conducted under Subsection (b)(7) (relating to requiring that the reenentry and reintegration plan provide for evaluating the effectiveness of the services provided to offenders) to certain government entities having primary jurisdiction over TDCJ.

SECTION 58. Amends Section 501.093(c), Government Code, to make a conforming change.

SECTION 59. Amends Section 501.095(c), Government Code, to make a conforming change.

SECTION 60. Amends Subchapter C, Chapter 501, Government Code, by adding Section 501.104, as follows:

Sec. 501.104. STRATEGIC PLAN FOR REHABILITATION AND REENTRY PROGRAMS. (a) Defines "parole-voted program."

(b) Requires TDCJ and the district to jointly develop a strategic plan for the provision of rehabilitation and reentry programs to inmates. Requires that the strategic plan include program objectives and timelines intended to increase program efficiencies, including eliminating delays in placing inmates into parole-voted programs, reduce program redundancies, incorporate new evidence-based and evidence-informed program approaches, and incorporate technology-based solutions.

(b-1) Requires that the strategic plan include clear steps and timelines to reduce, by September 1, 2027, overall parole-voted program placement timelines by at least 50 percent compared to the timelines on August 31, 2023. Provides that this subsection expires December 31, 2027.

(c) Requires TDCJ, in developing the strategic plan, to evaluate therapeutic service contracts and obligations and renegotiate the contracts and obligations as necessary to meet current and projected program needs.

(d) Requires TDCJ and the district to jointly update the strategic plan at least once every five years.

(e) Requires TDCJ and the district, not later than December 1 of each even-numbered year, to submit a joint report on the implementation of the strategic plan to certain government entities.

(f) Requires TDCJ and the district, in preparing the report under Subsection (e), to consider the most recent report prepared under Section 501.103 (Annual Report).

SECTION 61. Amends Section 501.138(c), Government Code, as follows:

(c) Requires the executive director, if the executive director, rather than the managed health care administrator, has knowledge that a potential ground for removal of a member of the Correctional Managed Healthcare Committee (committee) exists, to notify the presiding officer of the committee of the potential ground. Requires the executive director, rather than the managed health care administrator, if the potential ground for removal involves the presiding officer, to notify the next highest ranking officer of the committee, who is required to then notify the governor and the attorney general that a potential ground for removal exists. Makes a conforming change.

SECTION 62. Amends Section 501.140, Government Code, by amending Subsection (b) and adding Subsection (d), as follows:

(b) Requires that the training program provide the person with information regarding:

(1) the law governing committee operations, rather than the legislation that created the committee;

(2) the programs, functions, rules, and budget of the committee, rather than the programs operated by the committee;

(3) the scope of and limitations on the rulemaking authority of the committee, rather than the role and functions of the committee;

(4) redesignates existing Subdivision (6) as Subdivision (4) and makes no further changes;

(5) the requirements of laws relating to open meetings, public information, administrative procedure, and disclosing conflicts of interest, rather than the open meetings law, Chapter 551, and other laws applicable to members of a state policy-making body in performing their duties; and

(6) any applicable ethics policies adopted by TDCJ, rather than the committee, or the Texas Ethics Commission (TEC).

Deletes existing text requiring that the training program provide the person with information regarding the rules of the committee with an emphasis on the rules that relate to disciplinary and investigatory authority, the current budget for the committee, and the requirements of the public information law, Chapter 552, the administrative procedure law, Chapter 2001, and other laws relating to public officials, including conflict-of-interest laws.

(d) Requires the executive director to create a training manual that includes the information required by Subsection (b). Requires the executive director to distribute a copy of the training manual annually to each member of the committee. Requires each member of the committee to sign and submit to the executive director a statement acknowledging that the member received and has reviewed the training manual.

SECTION 63. Amends the heading to Chapter 507, Government Code, to read as follows:

CHAPTER 507. STATE JAIL MANAGEMENT

SECTION 64. Amends Sections 507.001(a) and (b), Government Code, as follows:

(a) Authorizes TDCJ, rather than the state jail division, to operate, maintain, and manage state jail felony facilities to confine inmates described by Section 507.002, and authorizes TDCJ to finance and construct those facilities. Authorizes TDCJ, with the approval of TBCJ, to contract with a private vendor, a community supervision and corrections department, or the commissioners court of a county for the construction, operation, maintenance, or management of a state jail felony facility.

Deletes existing text authorizing the state jail division, with the approval of TBCJ, to contract with the institutional division. Deletes existing text requiring the state jail division to consult with the community justice assistance division before contracting with a community supervision and corrections department under Section 507.001 (Authority to Operate or Contract for State Jail Felony Facilities). Makes conforming changes.

(b) Requires TDCJ, rather than the community justice assistance division and the state jail division, to develop and implement work programs and programs of rehabilitation, education, and recreation in state jail felony facilities. Makes conforming and nonsubstantive changes.

SECTION 65. Amends Section 507.002, Government Code, to make a conforming change.

SECTION 66. Amends Section 507.006(a), Government Code, to make conforming changes.

SECTION 67. Amends Section 507.022, Government Code, as follows:

Sec. 507.002. EMPLOYEES' SALARIES, ROOM AND BOARD, AND MEDICAL CARE. (a) Provides that salaries of TDCJ employees assigned to a state jail felony facility, rather than employees of the state jail division, and the provision of board, lodging, uniforms, and other provisions to employees are as provided by the General Appropriations Act.

(b) Provides that TDCJ employees assigned to a state jail felony facility, rather than employees of the state jail division, who are injured in the line of duty are entitled to receive free medical care and hospitalization from institutional division doctors and the institutional division hospital.

SECTION 68. Amends Sections 507.023(a) and (b), Government Code, to make conforming changes.

SECTION 69. Amends Section 507.024, Government Code, to make conforming changes.

SECTION 70. Amends Section 507.025, Government Code, to make conforming and nonsubstantive changes.

SECTION 71. Amends Section 507.029, Government Code, to authorize TDCJ to use the labor of inmates of the institutional division in any work or community service program or project performed by a state jail felony facility, rather than the state jail division.

SECTION 72. Amends Sections 507.030(a-1) and (b), Government Code, as follows:

(a-1) Requires TDCJ, rather than the state jail division, to allow the governor, members of the legislature, and officials of the executive and judicial branches to enter during business hours any part of a state jail felony facility operated by TDCJ, for the purpose of observing the operations of TDCJ. Authorizes a visitor described by this subsection to talk with defendants away from employees of the state jail felony facility, rather than division employees. Makes conforming changes.

(b) Makes a conforming change to this subsection.

SECTION 73. Amends Section 507.031, Government Code, to make conforming changes.

SECTION 74. Amends Section 507.033, Government Code, as follows:

Section 507.033. REHABILITATION PROGRAMS. (a) Authorizes TDCJ to allow a state jail defendant who is capable of serving as a tutor to tutor functionally illiterate defendants and requires TDCJ to actively encourage volunteer organizations to aid in the tutoring of defendants. Makes a conforming change.

(b) Makes conforming changes to this subsection.

SECTION 75. Amends Sections 508.001(3), (4), (5), and (6), Government Code, to redefine "director," "division," "mandatory supervision," and "parole."

SECTION 76. Amends Section 508.0362, Government Code, by amending Subsections (a) and (b) and adding Subsection (d), as follows:

(a) Redesignates existing Subdivisions (1) and (2) as Subsection (a). Prohibits a person who is appointed to and qualifies for office as a member of the BPP from voting, deliberating, or being counted as a member in attendance at a meeting of BPP until the person completes a training program, rather than at least one course of a training program, that complies with Section 508.0362 (Training Required). Prohibits a parole commissioner employed by BPP from voting or deliberating on a matter described by Section 508.0441 (Release and Revocation Duties) until the person completes a training program, rather than at least one course of a training program, that complies with this section. Makes nonsubstantive changes.

(b) Requires that the training program provide the person with information regarding:

(1) the law governing BPP operations, rather than enabling the legislation that created BPP;

- (2) the programs, functions, rules, and budget of BPP, rather than the programs operated by BPP;
- (3) the scope of and limitations on the rulemaking authority of BPP, rather than the role and functions of BPP and parole commissioners;
- (4) redesignates existing Subdivision (6) as Subdivision (4) and makes no further changes;
- (5) the requirements of laws relating to open meetings, public information, administrative procedure, and disclosing conflicts of interest, rather than the open meetings law, Chapter 551, and other laws applicable to members of a state policy-making body in performing their duties; and
- (6) any applicable ethics policies adopted by BPP or TEC.

Deletes existing text requiring that the training program provide information regarding the rules of BPP, the current budget for BPP, the requirements of the open records law, Chapter 552, administrative procedure law, Chapter 2001, and the requirements of the conflict of interest laws and other laws relating to public officials. Makes nonsubstantive changes.

(d) Requires the BPP administrator to create a training manual that includes the information required by Subsection (b). Requires the BPP administrator to distribute a copy of the training manual annually to each BPP member and parole commissioner. Requires each BPP member and parole commissioner to sign and submit to the BPP administrator a statement acknowledging that the person received and has reviewed the training manual.

SECTION 77. Amends Subchapter B, Chapter 508, Government Code by adding Sections 508.0421 and 508.0455, as follows:

Sec. 508.0421. TRAINING PROGRAM ON MEDICALLY RECOMMENDED INTENSIVE SUPERVISION. (a) Requires BPP to develop and provide a comprehensive training program on the release of inmates on medically recommended intensive supervision under Section 508.146 for BPP members and parole commissioners serving on a parole panel under that section. Requires that the program include:

- (1) background information on medically recommended intensive supervision; and
- (2) training and education regarding certain subjects.

(b) Requires BPP, in developing the training program, to use available data on medically recommended intensive supervision and consult with TDCJ and a practicing physician and psychiatrist as needed.

(c) Requires BPP to develop a condensed version of the training program that includes only the training and education described by Subsection (a)(2).

(d) Prohibits a member of a parole panel described by Section 508.146(e) (relating to authorizing parole panels composed of the presiding officer of BPP and two members appointed to the panel by the presiding officer to make certain determinations) from participating in a vote of the panel related to the release of an inmate on medically recommended intensive supervision until the member completes the training program described by Subsection (a). Requires each member to complete the version of the training program described by Subsection (c) biennially after completing the initial training to remain eligible to participate in a vote of the panel related to the release of an inmate on medically recommended intensive supervision. Requires BPP to inform each member of any

subsequent changes to the training developed under Subsection (a) that are made after the member completes the training required by this subsection.

Sec. 508.0455. PAROLE PANEL DATA. (a) Requires BPP to coordinate with TDCJ to collect and analyze data on the release of inmates on parole, mandatory supervision, or medically recommended intensive supervision and the use of special conditions and graduated sanctions to evaluate outcomes and trends.

(b) Requires BPP, using the data collected under Subsection (a), to determine a method for evaluating the consistency of revocation decisions across all three voter parole panels.

(c) Requires BPP to use its findings from the data collected under this section in developing the training required under Sections 508.041 (Designee Training; Handbook) and 508.042 (Training Program for Members and Parole Commissioners).

SECTION 78. Amends Section 508.054(c), Government Code, to require BPP to periodically notify the complaint parties of the status of the complaint until final disposition unless the notice would jeopardize an ongoing investigation.

SECTION 79. Amends the heading to Subchapter D, Chapter 508, Government Code, to read as follows:

SUBCHAPTER D. PAROLE DIVISION

SECTION 80. Amends Section 508.113, Government Code, to authorize the division to establish a waiver procedure for when the director of the division (director) is unable to appoint persons meeting the qualifications established under Subsection (c) (relating to requiring the director to establish certain qualifications for parole officers and supervisors).

SECTION 81. Amends Section 508.1131, Government Code, by amending Subsection (a) and adding Subsection (a-1), as follows:

(a) Requires TBCJ by rule, rather than the executive director, to adopt a salary career ladder for parole officers. Requires TBCJ, in adopting the salary career ladder, in consultation with relevant stakeholders, to review the current salary structure and align the salary career ladder with the future needs of TDCJ.

(a-1) Authorizes TBCJ to revise the salary career ladder as needed, rather than requiring that the salary career ladder base a parole officer's salary on the officer's classification and years of service with TDCJ.

SECTION 82. Amends Section 508.1142, Government Code, as follows:

Sec. 508.1142. PAROLE OFFICER MAXIMUM CASELOADS. (a) Requires TBCJ by rule to establish guidelines for a maximum caseload for a parole officer. Deletes existing text requiring TDCJ to adopt a policy that establishes guidelines for a maximum caseload for each parole officer of a certain number of active releases in certain programs.

(b) Provides that TBCJ is required to periodically review the guidelines established under Subsection (a) to ensure that the guidelines are achievable and informed by research-supported supervision practices and authorized to revise the guidelines as needed.

(c) Requires TDCJ to conduct a job task analysis and workload study with respect to parole officers before TBCJ adopts or amends the guidelines under this section. Deletes existing text requiring TDCJ, if TDCJ is unable to meet the maximum caseload guidelines, to submit a report to the LBB, at the end of each fiscal year

in which TDCJ fails to meet the guidelines, stating the amount of money needed by TDCJ to meet the guidelines.

SECTION 83. Amends Subchapter D, Chapter 508, Government Code, by adding Sections 508.1143, as follows:

Sec. 508.1143. REPORT ON PAROLE SUPERVISION APPROACHES AND MAXIMUM CASELOADS. (a) Requires TDCJ, not later than September 1, 2026, in consultation with relevant stakeholders, to:

(1) review current parole supervision practices and caseload approaches; and

(2) submit a report on proposed parole supervision practices and caseload approaches, including proposed maximum caseloads for parole officers, to TBCJ, BPP, the governor, the lieutenant governor, the speaker of the house of representatives, and each standing committee of the legislature with primary jurisdiction over TDCJ.

(b) Requires that the report include:

(1) an evaluation of TDCJ's practice of assigning parole supervision caseloads where staffing vacancies exist to ensure appropriate supervision of all caseloads by a parole officer; and

(2) the results of any TDCJ pilot project assessing changes to parole officer supervision practices and caseload approaches.

(c) Prohibits a pilot project assessing supervision practices and caseload approach changes described by Subsection (b)(2) from being implemented statewide before submission of the report required by Subsection (a)(2).

(d) Provides that this section expires September 1, 2027.

SECTION 84. Amends Section 508.117(e), Government Code, to make a conforming change.

SECTION 85. Amends Section 508.146, Government Code, by amending Subsections (a), (b), (d), (e), and (f) and adding Subsections (a-1), (g), (h), (i), and (j), as follows:

(a) Authorizes an inmate, other than an inmate who is serving a sentence of death or life without parole or an inmate who is not a citizen of the United States, as defined by federal law, subject to Subsection (b), to be released on medically recommended intensive supervision on a date designated by a parole panel described by Subsection (e) if:

(1) the Texas Correctional Office on Offenders with Medical or Mental Impairments (TCOOMMI), in cooperation with the committee, identifies the inmate as:

(A) being elderly, regardless of whether the inmate has a condition described in Paragraphs (B) (relating to an inmate being terminally ill)-(H);

(B)-(D) creates these paragraphs from existing text and makes nonsubstantive changes;

(E) having a condition requiring long-term care, rather than a person who has a condition requiring long-term care, if the inmate is an inmate with an instant offense that is described in Article 42A.054 (Limitation on Judge-Ordered Community Supervision), Code of Criminal Procedure;

(F) makes nonsubstantive changes to this paragraph;

(G) having, rather than being a person with, an organic brain syndrome with significant to total mobility impairment; or

(H) having another eligible medical condition as prescribed by BPP rule;

(2) makes no changes to this subdivision;

(3) the inmate's medically recommended intensive supervision plan under Subsection (a-1) is approved by TCOOMMI.

Deletes existing text authorizing an inmate other than an inmate who is serving a sentence of death or life without parole to be released on medically recommended intensive supervision on a date designated by a parole panel described by Subsection (e), except that an inmate with an instant offense that is an offense described in Article 42A.054, Code of Criminal Procedure, or an inmate who has a reportable conviction or adjudication under Chapter 62 (Sex Offender Registration Program), Code of Criminal Procedure, is authorized to only be considered if a medical condition of terminal illness or long-term care has been diagnosed by a physician, if TCOOMMI, in cooperation with the committee, identifies the inmate as meeting certain criteria, or if the inmate is an inmate who has a reportable conviction or adjudication under Chapter 62, Code of Criminal Procedure. Makes nonsubstantive changes.

(a-1) Creates this subsection from existing text. Requires TCOOMMI, in cooperation with the division, to prepare, for an inmate who is approved for release under Subsection (a) a medically recommended intensive supervision plan that requires the inmate to submit to electronic monitoring, places the inmate on super-intensive supervision, or otherwise ensures appropriate supervision of the inmate. Makes nonsubstantive changes.

(b) Authorizes the following inmates, in addition to the requirements of Subsection (a), to be released on medically recommended intensive supervision under that subsection only if the inmates are identified under Subsection (a)(1) as:

(1) having a condition described by Subsection (a)(1)(B) or (E), if the inmate has an instant offense that is described in Article 42A.054, Code of Criminal Procedure; or

(2) being in or having a condition described by Subsection (a)(1)(F) (relating to an inmate in a persistent vegetative state) or (G), if the inmate has a reportable conviction or adjudication under Chapter 62, Code of Criminal Procedure.

Deletes existing text providing that an inmate is authorized to be released on medically recommended intensive supervision only if the inmate's medically recommended intensive supervision plan under Subsection (a)(3) is approved by TCOOMMI.

(d) Authorizes TCOOMMI, rather than requires TCOOMMI and the Texas Department of Human Services jointly, to request proposals from public or private vendors to provide under contract services for inmates released on medically recommended intensive supervision.

(e) Authorizes parole panels composed of BPP members and parole commissioners appointed to the panel by the presiding officer, rather than only parole panels composed of the presiding officer of BPP and two members appointed to the panel by the presiding officer, to make determinations regarding the release of inmates on medically recommended intensive supervision under Subsection (a) or of inmates released pending deportation under Subsection (f). Requires TCOOMMI, rather than the Texas Council on Offenders with Mental Impairments, if TCOOMMI identifies an inmate as a candidate for release under the guidelines established by Subsection (a)(1), (b), or (f)(1), as

applicable, to present to a parole panel described by this subsection relevant information concerning the inmate and the inmate's potential for release under this section. Makes a conforming change.

(f) Authorizes a certain inmate to be released to immigration authorities pending deportation on a date designated by a parole panel described by Subsection (e) if:

(1) TCOOMMI, in cooperation with the committee, identifies the inmate as being in or having a condition described by Subsection (a)(1); and

(2) creates this subdivision from existing text and makes no further changes.

(g) Requires BPP to adopt rules to administer Section 508.146. Requires that the rules:

(1) specify the procedures for evaluating the prognosis of inmates who are eligible for medically recommended intensive supervision under Subsection (a) (relating to authorizing an inmate to be released if a certain medical condition of terminal illness or long-term care has been diagnosed by a physician) because of a qualifying medical condition;

(2) specify the factors, other than an inmate's condition, that are relevant or statutorily required to release an inmate on medically recommended intensive supervision; and

(3) define what constitutes a threat to public safety for purposes of Subsections (a)(2) (relating to if the parole panel determines that the inmate does not constitute a threat to public safety) and (f) (relating to if the parole panel determines that on release the inmate would be deported to another country and that the inmate does not constitute a threat to public safety) and specify the factors that a parole panel described by Subsection (e) is required to consider when determining whether an inmate constitutes a threat to public safety.

(h) Requires that the procedures described by Subsection (g)(1):

(1) require a review of the inmate's condition by at least one health care practitioner; and

(2) require each health care practitioner who reviews an inmate's condition as described by Subdivision (1) to provide the parole panel described by Subsection (e), before the panel makes a final determination under this section, a written report on the inmate's condition that:

(A) is in plain language that is understandable by a nonmedical professional;

(B) specifically describes how the inmate's condition and treatment for the condition will affect the inmate's cognitive and physical abilities and limitations; and

(C) contains other information as required by BPP.

(i) Requires BPP to consult with certain other relevant entities for purposes of establishing information required in the report under Subsection (h)(2)(C).

(j) Provides that information regarding the identity of a health care practitioner providing a report described by Subsection (h)(2), other than information relating to the practitioner's specialization, is excepted from required disclosure under Chapter 552. Authorizes BPP to release the information or redact or otherwise withhold the information from disclosure under Chapter 552.

SECTION 86. Amends Section 508.152, Government Code, by adding Subsection (b-3), as follows:

(b-3) Requires that an inmate's individual treatment plan, for purposes of Subsection (b-1)(1) (relating to requiring that the inmate's plan includes a record of the inmate's institutional progress), include a comprehensive list, in plain language, of the inmate's program participation that:

(1) includes state-funded programs, intensive volunteer programs, and program enrollment and completion dates; and

(2) distinguishes between evidence-based programs and correctional elective programs that are non-evidence based or non-evidence informed.

SECTION 87. Amends Subchapter E, Chapter 508, Government Code, by adding Sections 508.1521 and 508.158, as follows:

Sec. 508.1521. REQUIRED INDIVIDUAL TREATMENT PLAN PROGRAMS AND PAROLE-VOTED PROGRAMS. (a) Defines "parole-voted program" and "required individual treatment plan program."

(b) Requires TDCJ, BPP and the district to develop and coordinate certain plans, programs, and procedures.

(c) Provides that, in developing and maintaining the required individual treatment plan programs list, TDCJ and the district have joint authority to decide which programs are included on the required individual treatment plan programs list.

(d) Requires TDCJ and the district, in developing and maintaining the parole-voted programs list, to present programming options and program evaluation results to BPP, provided that BPP has the sole authority to decide which programs are included on the parole-voted programs list.

(e) Requires TDCJ to:

(1) collect and analyze certain parole-voted program data on a rolling basis;

(2) use the data described by Subdivision (1) to calculate parole-voted program waitlist times, track and reduce parole-voted program enrollment timelines, and work to eliminate parole-voted program placement delays; and

(3) include the data and analysis described by Subdivision (1) in the strategic plan required under Section 501.104.

(f) Requires TDCJ to prioritize the placement of inmates into parole-voted programs, ensure parole-voted program capacity meets programming needs, and expand parole-voted program access in accordance with the strategic plan required under Section 501.104.

Sec. 508.158. SPECIAL CONDITIONS WORK GROUP. (a) Requires BPP and TDCJ to jointly establish a work group consisting of BPP members and parole commissioners who actively serve on a parole panel and staff representatives from the division to assess the impact and effectiveness of special conditions.

(b) Requires the work group to discuss the efficacy of special conditions, assess the continuing need for the use of specific special conditions, and identify potential modifications to special conditions for BPP to consider adopting.

(c) Requires the work group, in discussing the efficacy of special conditions under Subsection (b), to solicit input from parole officers and other relevant parties.

(d) Requires the work group to meet annually.

SECTION 88. Amends Subchapter F, Chapter 508, Government Code, by adding Section 508.1831, as follows:

Sec. 508.1831. POSTSECONDARY EDUCATION REIMBURSEMENT PROGRAM.

(a) Defines "program."

(b) Requires TDCJ, from money appropriated to TDCJ for the purpose, to establish and administer a postsecondary education reimbursement program to provide for the payment of postsecondary education tuition and fees for enrollment in courses by eligible inmates.

(c) Requires an inmate participating in the program and enrolled in postsecondary education courses during confinement to reimburse TDCJ for the costs of the tuition and fees paid on the inmate's behalf.

(d) Prohibits TDCJ from charging interest for the repayment of costs under this section.

(e) Authorizes a parole panel to require as a condition of parole or mandatory supervision that a releasee who had the costs of tuition and fees paid through the program reimburse TDCJ for those costs.

SECTION 89. Amends Section 508.324, Government Code, to make conforming changes.

SECTION 90. Amends Section 508.324, Government Code, to make a conforming change.

SECTION 91. Amends Section 509.004(b), Government Code, to make a conforming change.

SECTION 92. Amends Section 511.017, Government Code, as follows:

Sec. 511.017. DUTIES RELATED TO STATE JAIL FELONY FACILITIES. (a) Deletes existing definition of "state jail division."

(b) Makes a conforming change to this subsection.

SECTION 93. Amends Section 659.015(k), Government Code, as follows:

(k) Provides that compensatory time off to which an employee of TDCJ is entitled under Subsection (f) (relating to providing that an employee is entitled to compensatory time off at a certain rate):

(1) is required to be taken during the 24-month period following the end of the workweek in which the compensatory time was accrued; and

(2) if not taken during the period described by Subdivision (1), is required to be credited to the employee's accumulated vacation leave for purposes of Chapter 661 (Lodging, Meal, and Travel Reimbursement).

Deletes existing text requiring that compensatory time off be taken during the 24-month period following the end of the workweek in which the compensatory time was accrued or it lapses.

SECTION 94. Amends Section 661.152(b), Government Code, to provide that the amount of vacation accrues in accordance with Subchapter F (General Provisions for Vacation Leave for

State Employees) and Section 659.015(k) and is authorized to be taken in accordance with this subchapter.

SECTION 95. Amends Section 811.001(8), Government Code, to redefine "custodial officer."

SECTION 96. Amends Sections 614.002(a) and (e), Health and Safety Code, as follows:

(a) Provides that the Advisory Committee to the Texas Board of Criminal Justice on Offenders with Medical or Mental Impairments (advisory committee) is composed of 27, rather than 28, members.

(e) Requires the executive head of each of the following agencies, divisions of agencies, or associations, or that person's designated representative, to serve as a member of the advisory committee:

(1)-(5) makes no changes to these subdivisions;

(6) TWC, rather than the Department of Assistive and Rehabilitative Services (DARS);

(7)-(15) makes no changes to these subdivisions;

(16) the Texas Veterans Commission, rather than the Parent Association for the Retarded of Texas, Inc.; and

(17) makes a nonsubstantive change to this subdivision.

Deletes text of existing Subdivision (18), including the executive head of the Department of Aging and Disability Services (DADS) among the members of the advisory committee.

SECTION 97. Amends Section 614.009, Health and Safety Code, as follows:

Sec. 614.009. BIENNIAL REPORT. Requires TCOOMMI, not later than December 1, of each even-numbered year, rather than February 1 of each odd-numbered year, to present to BPP and file with the governor, lieutenant governor, and speaker of the house of representatives a report giving the details of TCOOMMI's activities during the preceding biennium. Requires that the report include certain information, including information on the provision of services under Section 614.021 (Services for Wrongfully Imprisoned Persons) to wrongfully imprisoned persons. Makes nonsubstantive changes.

SECTION 98. Amends Section 614.013(b), Health and Safety Code, to require that the memorandum of understanding establish certain methods, including methods for developing interagency rules, policies, procedures, and standards for the coordination of care of and the exchange of information on offenders with mental impairments by certain agencies, including the Health and Human Services Commission (HHSC), rather than DADS.

SECTION 99. Amends Section 614.014, Health and Safety Code, as follows:

Sec. 614.014. CONTINUITY OF CARE FOR ELDERLY OFFENDERS. (a) Requires TDCJ, TWC, and the executive commissioner of HHSC (executive commissioner) by rule to adopt a memorandum of understanding that establishes the respective responsibilities of TDCJ, the Department of State Health Services, HHSC, rather than DADS, and TWC, rather than DARS, to institute a continuity of care and service program for elderly offenders in the criminal justice system.

(b)-(c) Makes conforming changes to these subsections.

SECTION 100. Amends Section 614.015, Health and Safety Code, to make conforming changes.

SECTION 101. Amends Section 614.017(c)(1), Health and Safety Code, to redefine "agency."

SECTION 102. Amends Sections 614.018(a) and (b), Health and Safety Code, to make conforming changes.

SECTION 103. Amends Section 841.005, Health and Safety Code, as follows:

Sec. 841.005. New heading: TEXAS BOARD OF CRIMINAL JUSTICE. (a) Defines "board."

(b) Creates this subsection from existing text. Requires TBCJ, except as provided by Subsection (d), to provide representation for an indigent person subject to a civil commitment proceeding under Chapter 841 (Civil Commitment of Sexually Violent Predators). Deletes existing text requiring the Office of State Counsel for Offenders, except as provided by Subsection (b), to represent an indigent person subject to a civil commitment proceeding under this chapter.

(c) Provides that, in providing representation for indigent persons described by Subsection (b):

(1) TBCJ is authorized to employ attorneys, support staff, and any other personnel required to provide the representation;

(2) personnel employed under Subdivision (1) are directly responsible to TBCJ in the performance of their duties; and

(3) TBCJ is required to pay all fees and costs associated with providing the representation.

(d) Redesignates existing Subsection (b) as Subsection (d). Requires the court, if for any reason TBCJ is unable to provide representation for, rather than represent, an indigent person described by Subsection (b) at a civil commitment proceeding under this chapter, to appoint other counsel to represent the indigent person. Makes conforming changes.

SECTION 104. Amends Section 306.007(b), Labor Code, to require TWC to adopt a memorandum of understanding with certain agencies that establishes the respective responsibilities of TWC and the agencies in providing information described by Subsection (a) (relating to requiring TWC through Project RIO to provide certain information) to persons formerly sentenced to the custody of TDCJ, rather than to the institutional division or the state jail division of TDCJ, to employers or potential employers of those persons, and to local workforce development boards.

SECTION 105. Repealer: Article 66.352(b) (relating to requiring the state auditor or other appropriate entity selected by the council to conduct a certain examination), Code of Criminal Procedure.

Repealers: Sections 19.0041(c) (relating to authorizing the district to enter into a memorandum of understanding with certain entities to obtain and share data necessary to evaluate district programs), Education Code and 501.062(c) (relating to requiring TDCJ to submit to the legislature a report that compares the rate of recidivism of sex offenders released from the institutional division who have undergone an orchiectomy to the rate of recidivism of those sex offenders who have not), Government Code.

Repealer: Section 491.001(a)(8) (relating to the definition of "state jail division"), Government Code.

Repealers: Sections 493.0051 (State Jail Division) and 494.011 (Assessment of Unit Design and Security Systems), Government Code.

Repealers: Sections 497.111 (Advisory Committee on Agriculture) and 499.106 (Governor's Review and Recommendation), Government Code.

Repealer: Section 499.107 (Attorney General Review; Board Decision), Government Code.

Repealers: Sections 507.003 (Regions) and 507.004 (Allocation Policies), Government Code.

Repealers: Sections 508.1131(b) (relating to requiring TDCJ, for purposes of the salary schedule, to classify certain parole officer positions) and (c) (relating to providing that a certain parole officer to whom the schedule applies is entitled to an annual salary increase), Government Code.

Repealer: Section 614.021(c) (relating to requiring TCOOMMI to submit an annual report to the legislature on the provision of services to wrongfully imprisoned persons), Health and Safety Code.

SECTION 106. Provides that the change in law made by this Act to Section 492.002 (Composition of Board; Compensation of Members), Government Code, does not affect the entitlement of a member serving on TBCJ before the effective date of this Act to continue to serve for the remainder of the member's term. Requires the governor, as the terms of members expire, to appoint or reappoint members who have the qualifications required by Section 492.002(a), Government Code, as amended by this Act.

SECTION 107. (a) Makes application of Sections 492.0031 (Training Program for Members), 501.140 (Training), and 508.0362, Government Code, as amended by this Act, prospective.

(b) Provides that a member of TBCJ, the Correctional Managed Health Care Committee, or BPP who, before the effective date of this Act, completed the training program required by Section 492.0031, 501.140, or 508.0362, Government Code, as that law existed before the effective date of this Act, is only required to complete additional training on the subjects added by this Act to the training program required by those sections of Government Code, as applicable. Prohibits a member described by this subsection from voting, deliberating, or being counted as a member in attendance at a meeting of the applicable board or committee held on or after December 1, 2025, until the member completes the additional training.

SECTION 108. (a) Makes application of Section 508.0362, Government Code, as amended by this Act, prospective.

(b) Provides that a parole commissioner who, before the effective date of this Act, completed the training program required by Section 508.0362, Government Code, as that law existed before the effective date of this Act, is only required to complete additional training on the subjects added by this Act to the training program required by that section. Prohibits a parole commissioner described by this subsection from voting or deliberating on a matter described by Section 508.0441, Government Code, occurring on or after December 1, 2025, until the member completes the additional training.

SECTION 109. Provides that Section 659.015(k), Government Code, as amended by this Act, applies to compensatory time accrued by an employee of TDCJ before, on, or after the effective date of this Act.

SECTION 110. Provides that, as soon as practicable after the effective date of this Act:

(1) TBCJ is required to adopt the rules required by Sections 499.101(a), 508.1131 (Salary Career Ladder for Parole Officers), and 508.1142, Government Code, as amended by this Act; and

(2) BPP is required to adopt the rules required by Section 508.146(g), Government Code, as added by this Act.

SECTION 111. (a) Requires BPP, not later than December 1, 2025, to make the training required by Section 508.0421, Government Code, as added by this Act, available to BPP members and parole commissioners described by Subsection (a) of that section.

(b) Provides that, notwithstanding Section 508.0421(d), Government Code, as added by this Act, a BPP member or parole commissioner to whom that section applies is not required to complete the training required by that section until December 1, 2025.

SECTION 112. Provides that, not later than December 1, 2026:

(1) TDCJ and the district are required to develop the strategic plan required by Section 501.104, Government Code, as added by this Act; and

(2) TDCJ is required to revise each inmate's individual treatment plan as necessary to conform to the requirements of Section 508.152(b-3), Government Code, as added by this Act.

SECTION 113. Provides that it is the intent of the 89th Legislature, Regular Session, 2025, that the amendments made by this Act be harmonized with another Act of the 89th Legislature, Regular Session, 2025, relating to nonsubstantive additions to and corrections in enacted codes.

SECTION 114. Effective date: September 1, 2025.