

By: Parker, et al. S.B. No. 2405  
(Canales, Harless, Bell of Kaufman, Hull, Kitzman, et al.)

Substitute the following for S.B. No. 2405:

By: Harless C.S.S.B. No. 2405

A BILL TO BE ENTITLED

AN ACT

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.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

SECTION 1. Article 2A.001, Code of Criminal Procedure, is amended to read as follows:

Art. 2A.001. PEACE OFFICERS GENERALLY. The following are peace officers:

(1) a sheriff, a sheriff's deputy, or a reserve deputy sheriff who holds a permanent peace officer license issued under Chapter 1701, Occupations Code;

(2) a constable, a deputy constable, or a reserve deputy constable who holds a permanent peace officer license issued under Chapter 1701, Occupations Code;

(3) a marshal or police officer of a municipality or a reserve municipal police officer who holds a permanent peace officer license issued under Chapter 1701, Occupations Code;

(4) a ranger, officer, or member of the reserve officer corps commissioned by the Public Safety Commission and the director of the Department of Public Safety;

1           (5) an investigator of a district attorney's, criminal  
2 district attorney's, or county attorney's office;

3           (6) a law enforcement agent of the Texas Alcoholic  
4 Beverage Commission;

5           (7) a member of an arson investigating unit  
6 commissioned by a municipality, a county, or the state;

7           (8) an officer commissioned under Section 37.081,  
8 Education Code, or Subchapter E, Chapter 51, Education Code;

9           (9) an officer commissioned by the Texas Facilities  
10 Commission;

11           (10) a law enforcement officer commissioned by the  
12 Parks and Wildlife Commission;

13           (11) an officer commissioned under Chapter 23,  
14 Transportation Code;

15           (12) a municipal park and recreational patrol officer  
16 or security officer;

17           (13) a security officer or investigator commissioned  
18 as a peace officer by the comptroller;

19           (14) an officer commissioned by a water control and  
20 improvement district under Section 49.216, Water Code;

21           (15) an officer commissioned by a board of trustees  
22 under Chapter 54, Transportation Code;

23           (16) an investigator commissioned by the Texas Medical  
24 Board;

25           (17) an officer commissioned by:

26               (A) the board of managers of the Dallas County  
27 Hospital District, the Tarrant County Hospital District, the Bexar

County Hospital District, or the El Paso County Hospital District under Section 281.057, Health and Safety Code;

(B) the board of directors of the Ector County Hospital District under Section 1024.117, Special District Local Laws Code;

(C) the board of directors of the Midland County Hospital District of Midland County, Texas, under Section 1061.121, Special District Local Laws Code; or

(D) the board of hospital managers of the Lubbock County Hospital District of Lubbock County, Texas, under Section 1053.113, Special District Local Laws Code;

(18) a county park ranger commissioned under Subchapter E, Chapter 351, Local Government Code;

(19) an investigator employed by the Texas Racing Commission;

(20) an officer commissioned under Chapter 554, Occupations Code;

(21) an officer commissioned by the governing body of a metropolitan rapid transit authority under Section 451.108, Transportation Code, or a regional transportation authority under Section 452.110, Transportation Code;

(22) an investigator commissioned by the attorney general under Section 402.009, Government Code;

(23) a security officer or investigator commissioned as a peace officer under Chapter 466, Government Code;

(24) an officer appointed by an appellate court under Subchapter F, Chapter 53, Government Code;

1           (25) an officer commissioned by the state fire marshal  
2 under Chapter 417, Government Code;

3           (26) an investigator commissioned by the commissioner  
4 of insurance under Section 701.104, Insurance Code;

5           (27) an apprehension specialist or inspector general  
6 commissioned by the Texas Juvenile Justice Department as an officer  
7 under Section 242.102 or 243.052, Human Resources Code;

8           (28) an officer commissioned ~~[appointed]~~ by the  
9 inspector general ~~[of the Texas Department of Criminal Justice]~~  
10 under Section 493.019, Government Code;

11           (29) an investigator commissioned by the Texas  
12 Commission on Law Enforcement under Section 1701.160, Occupations  
13 Code;

14           (30) a fire marshal or any related officer, inspector,  
15 or investigator commissioned by a county under Subchapter B,  
16 Chapter 352, Local Government Code;

17           (31) a fire marshal or any officer, inspector, or  
18 investigator commissioned by an emergency services district under  
19 Chapter 775, Health and Safety Code;

20           (32) an officer commissioned by the State Board of  
21 Dental Examiners under Section 254.013, Occupations Code, subject  
22 to the limitations imposed by that section; and

23           (33) an investigator commissioned by the Texas  
24 Juvenile Justice Department as an officer under Section 221.011,  
25 Human Resources Code.

26       SECTION 2. Article 66.351, Code of Criminal Procedure, is  
27 amended to read as follows:

1           Art. 66.351. BIENNIAL PLANS.   The Department of Public  
2   Safety and the Texas Department of Criminal Justice, with advice  
3   from ~~[the council and]~~ the Department of Information Resources,  
4   shall develop biennial plans to:

5               (1)   improve the reporting and accuracy of the criminal  
6   justice information system; and

7               (2)   develop and maintain monitoring systems capable of  
8   identifying missing information.

9           SECTION 3.   Articles [66.352](#)(a), (c), (d), (e), and (f), Code  
10   of Criminal Procedure, are amended to read as follows:

11           (a)   At least once during each five-year period, the state  
12   auditor ~~[council]~~ shall conduct ~~[coordinate]~~ an examination of the  
13   records and operations of the criminal justice information system  
14   to ensure:

15               (1)   the accuracy and completeness of information in  
16   the system; and

17               (2)   the promptness of information reporting.

18           (c)   The ~~[council, the]~~ Department of Public Safety~~[7]~~ and  
19   the Texas Department of Criminal Justice may examine the records of  
20   the agencies required to report information to the Department of  
21   Public Safety or the Texas Department of Criminal Justice.

22           (d)   The state auditor ~~[examining entity under Subsection~~  
23   ~~(b)]~~ shall submit to the legislature and the governor ~~[council]~~ a  
24   report that summarizes the findings of each examination and  
25   contains recommendations for improving the criminal justice  
26   information system.

27           (e)   Not later than the first anniversary of the date the

1 state auditor [~~examining entity under Subsection (b)~~] submits a  
2 report under Subsection (d), the Department of Public Safety shall  
3 report to the Legislative Budget Board and[~~7~~] the governor[~~7~~, ~~and~~  
4 ~~the council~~] the department's progress in implementing the state  
5 auditor's [~~examining entity's~~] recommendations, including the  
6 reason for not implementing any recommendation.

7 (f) Each year following the submission of the report  
8 described by Subsection (e), the Department of Public Safety shall  
9 submit a similar report until each of the state auditor's  
10 [~~examining entity's~~] recommendations is implemented.

11 SECTION 4. Section 19.003, Education Code, is amended to  
12 read as follows:

13 Sec. 19.003. GOALS OF THE DISTRICT. The goals of the  
14 district in educating its students are to:

- 15 (1) reduce recidivism;
- 16 (2) reduce the cost of confinement or imprisonment;
- 17 (3) increase the success of former students [~~inmates~~]  
18 in obtaining and maintaining employment; and
- 19 (4) provide an incentive to students [~~inmates~~] to  
20 behave in positive ways during confinement or imprisonment.

21 SECTION 5. Section 19.004(c), Education Code, is amended to  
22 read as follows:

- 23 (c) The district shall:
- 24 (1) develop educational programs specifically  
25 designed for persons eligible under Section 19.005 and ensure that  
26 those programs, such as a high school equivalency program [~~CED~~] and  
27 an English as a second language program [~~ESL~~], are integrated with

1 an applied career and technical ~~[vocational]~~ context leading to  
2 employment;

3           (2) ~~[(1-a)]~~ develop career and technical education  
4 ~~[vocational training]~~ programs specifically designed for persons  
5 eligible under Section 19.005 and prioritize the programs that  
6 result in certification or licensure, considering the impact that a  
7 previous felony conviction has on the ability to secure  
8 certification, licensure, and employment;

9           (3) ~~[(1-b)]~~ continually assess job markets in this  
10 state and update, augment, and expand the career and technical  
11 education ~~[vocational training]~~ programs developed under  
12 Subdivision (2) ~~[(1-a)]~~ as necessary to provide relevant and  
13 marketable skills to students; and

14           (4) ~~[(2)]~~ coordinate educational programs and  
15 services in the department with those provided by other state  
16 agencies, by political subdivisions, and by persons who provide  
17 programs and services under contract.

18           SECTION 6. Section 19.0041(a), Education Code, is amended  
19 to read as follows:

20           (a) To evaluate the effectiveness of its programs, the  
21 Windham School District shall compile and analyze information for  
22 each of its programs, including performance-based information and  
23 data related to academic, career and technical education  
24 ~~[vocational training]~~, ~~[and]~~ life skills, and postsecondary  
25 education programs. This information shall be disaggregated by sex  
26 and include for each person who participates in district programs  
27 an evaluation of:

- (1) institutional disciplinary violations;
- (2) subsequent arrests;
- (3) subsequent convictions or confinements;
- (4) the cost of confinement;
- (5) educational achievement;
- (6) high school equivalency examination passage;
- (7) the kind of training services provided;
- (8) the kind of employment the person obtains on release;
- (9) whether the employment was related to training;
- (10) the difference between the amount of the person's earnings on the date employment is obtained following release and the amount of those earnings on the first anniversary of that date; ~~[and]~~
- (11) the retention factors associated with the employment; and
- (12) 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.

SECTION 7. Section 19.0042, Education Code, is amended to read as follows:

Sec. 19.0042. INFORMATION TO BE PROVIDED BY DISTRICT BEFORE CAREER AND TECHNICAL EDUCATION ~~[VOCATIONAL TRAINING]~~ PROGRAM ENROLLMENT. Before a person described by Section 19.005 enrolls in a district career and technical education ~~[vocational training]~~ program, the district must inform the person in writing of:

- (1) any rule or policy of a state agency that would



1 impose a restriction or prohibition on the person in obtaining a  
2 certificate or license in connection with the career and technical  
3 education [~~vocational training~~] program;

4 (2) the total number of district students released  
5 during the preceding 10 years who have completed a district career  
6 and technical education [~~vocational training~~] program that allows  
7 for an opportunity to apply for a certificate or license from a  
8 state agency and, of those students:

9 (A) the number who have applied for a certificate  
10 or license from a state agency;

11 (B) the number who have been issued a certificate  
12 or license by a state agency; and

13 (C) the number who have been denied a certificate  
14 or license by a state agency; and

15 (3) the procedures for:

16 (A) requesting a criminal history evaluation  
17 letter under Section 53.102, Occupations Code;

18 (B) providing evidence of fitness to perform the  
19 duties and discharge the responsibilities of a licensed occupation  
20 for purposes of Section 53.023, Occupations Code; and

21 (C) appealing a state agency's denial of a  
22 certificate or license, including deadlines and due process  
23 requirements:

24 (i) to the State Office of Administrative  
25 Hearings under Subchapter C, Chapter 2001, Government Code; and

26 (ii) through any other available avenue.

27 SECTION 8. Section 19.010(a), Education Code, is amended to

1 read as follows:

2 (a) The district shall propose, and the board shall adopt  
3 with any modification the board finds necessary, a strategic plan  
4 that includes:

5 (1) a mission statement relating to the goals and  
6 duties of the district under this chapter;

7 (2) goals to be met by the district in carrying out the  
8 mission stated; and

9 (3) specific educational, career and technical  
10 education [~~vocational training~~], and counseling programs to be  
11 conducted by the district to meet the goals stated in the plan.

12 SECTION 9. Section 19.011, Education Code, is amended by  
13 amending Subsection (b) and adding Subsection (c) to read as  
14 follows:

15 (b) The district shall coordinate career and technical  
16 [~~vocational~~] education and job training programs with a local  
17 workforce development board authorized by the Texas Workforce  
18 Commission to ensure that district students are equipped with the  
19 skills necessary to compete for current and emerging jobs.

20 (c) The district may enter into an agreement with a  
21 governmental entity, including the Texas Workforce Commission, the  
22 Department of Public Safety, the Texas Department of Licensing and  
23 Regulation, other regulatory entities, or the Texas Higher  
24 Education Coordinating Board, to obtain and share data necessary to  
25 support and evaluate district and postsecondary education programs  
26 within the department.

27 SECTION 10. Chapter 19, Education Code, is amended by

adding Sections 19.012 and 19.013 to read as follows:

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

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

(b) The advisory board is composed of members who are relevant stakeholders, including representatives of:

(1) the Texas Higher Education Coordinating Board;  
(2) the Texas Department of Licensing and Regulation;  
(3) the Texas Workforce Commission;  
(4) public institutions of higher education on a rotating basis;

(5) an organization that represents the families of students participating in postsecondary education programs administered by the district;

(6) an organization that advocates for the education of students participating in postsecondary education programs administered by the district; and

(7) current or former student participants in postsecondary education programs administered by the district.

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

1           (6) "Office of the independent auditor [Internal audit  
2 division]" means the office of the independent auditor established  
3 under Section 493.0052 [internal audit division of the department].

4           (6-a) "Office of the inspector general" means the  
5 office of the inspector general established under Section 493.019.

6           (7) "Parole [Pardons and paroles] division" means the  
7 parole [pardons and paroles] division of the department.

8           SECTION 12. Section 491.001(b)(1), Government Code, is  
9 amended to read as follows:

10           (1) "Board of Pardons and Paroles" means:

11                   (A) the Board of Pardons and Paroles in any  
12 statute relating to a subject under the board's jurisdiction as  
13 provided by Chapter 508; or

14                   (B) the parole [pardons and paroles] division in  
15 any statute relating to a subject under the division's jurisdiction  
16 as provided by Chapter 508.

17           SECTION 13. Section 492.002(a), Government Code, is amended  
18 to read as follows:

19           (a) The board is composed of nine members appointed by the  
20 governor with the advice and consent of the senate. At least two  
21 members must have significant business or corporate experience.  
22 The governor may not appoint more than two members who reside in an  
23 area encompassed by the same administrative judicial region, as  
24 determined by Section 74.042.

25           SECTION 14. Section 492.0031, Government Code, is amended  
26 by amending Subsection (b) and adding Subsection (d) to read as  
27 follows:

(b) The training program must provide the person with information regarding:

(1) the law governing board and ~~[legislation that created the]~~ department operations ~~[and the board]~~;

(2) the programs, functions, rules, and budget of ~~[operated by]~~ the department;

(3) the scope of and limitations on the rulemaking authority ~~[role and functions]~~ of the board ~~[department]~~;

(4) ~~[the rules of the department, with an emphasis on the rules that relate to disciplinary and investigatory authority,~~

~~(5) the current budget for the department,~~

~~(6)]~~ the results of the most recent formal audit of the department;

(5) ~~(7)]~~ the requirements of:

(A) the laws relating to open meetings, public information, administrative procedure, and disclosing conflicts of interest ~~[law, Chapter 551]~~; and

(B) other laws applicable to members of a state policy-making body in performing their duties ~~[the public information law, Chapter 552,~~

~~(C) the administrative procedure law, Chapter 2001, and~~

~~(D) other laws relating to public officials, including conflict of interest laws]~~; and

(6) ~~(8)]~~ any applicable ethics policies adopted by the department or the Texas Ethics Commission.

(d) The executive director shall create a training manual

1 that includes the information required by Subsection (b). The  
2 executive director shall distribute a copy of the training manual  
3 annually to each member of the board. Each member of the board  
4 shall sign and submit to the executive director a statement  
5 acknowledging that the member received and has reviewed the  
6 training manual.

7 SECTION 15. Section 492.012, Government Code, is amended to  
8 read as follows:

9 Sec. 492.012. SUNSET PROVISION. The Texas Board of  
10 Criminal Justice and the Texas Department of Criminal Justice are  
11 subject to Chapter 325 (Texas Sunset Act). Unless continued in  
12 existence as provided by that chapter, the board and the department  
13 are abolished September 1, 2037 [~~2025~~].

14 SECTION 16. Section 492.013, Government Code, is amended by  
15 amending Subsections (a), (c), and (e) and adding Subsections (a-1)  
16 and (b-1) to read as follows:

17 (a) The board shall maintain oversight and supervision of  
18 the following independent reporting entities:

19 (1) the office of the independent auditor;  
20 (2) the office of the independent ombudsman;  
21 (3) the office of the inspector general;  
22 (4) the office of the ombudsperson appointed under  
23 Section 501.172; and

24 (5) the office providing legal representation under  
25 Article 26.051, Code of Criminal Procedure, and Section 841.005,  
26 Health and Safety Code.

27 (a-1) The board may adopt rules as necessary for its own

1 procedures and for operation of the department and the independent  
2 reporting entities.

3 (b-1) The board shall employ a director for each independent  
4 reporting entity, and each director serves at the pleasure of the  
5 board.

6 (c) The board shall approve the operating budget of and  
7 requests for appropriations for the department and the independent  
8 reporting entities [~~and the department's request for~~  
9 ~~appropriations~~].

10 (e) The board shall develop and implement policies that  
11 clearly separate the policymaking responsibilities of the board and  
12 the management responsibilities of the executive director and the  
13 staff of the department and the independent reporting entities.

14 SECTION 17. Section 493.002(a), Government Code, is amended  
15 to read as follows:

16 (a) The following divisions are within the department:  
17 (1) the community justice assistance division;  
18 (2) the institutional division;  
19 (3) the parole [~~pardons and paroles~~] division; and  
20 (4) [~~the state jail division,~~  
21 [~~(5) the internal audit division, and~~  
22 [~~(6)~~] the rehabilitation and reentry [~~programs and~~  
23 ~~services~~] division.

24 SECTION 18. Section 493.0021(a), Government Code, is  
25 amended to read as follows:

26 (a) Notwithstanding Sections 493.002, 493.003, 493.004,  
27 493.005, [~~493.0051,~~] 493.0052, [~~as added by Chapter 1360, Acts of~~

1 ~~the 75th Legislature, Regular Session, 1997,~~] and 493.0053  
2 ~~[493.0052, as added by Chapter 490, Acts of the 75th Legislature,~~  
3 ~~Regular Session, 1997],~~ the executive director, with the approval  
4 of the board, may:

5 (1) create divisions in addition to those listed in  
6 Section 493.002 and assign to the newly created divisions any  
7 duties and powers imposed on or granted to an existing division or  
8 to the department generally;

9 (2) eliminate any division listed in Section 493.002  
10 or created under this section and assign any duties or powers  
11 previously assigned to the eliminated division to another division  
12 listed in Section 493.002 or created under this section; or

13 (3) eliminate all divisions listed in Section 493.002  
14 or created under this section and reorganize the distribution of  
15 powers and duties granted to or imposed on a division in any manner  
16 the executive director determines is best for the proper  
17 administration of the department.

18 SECTION 19. Section 493.004, Government Code, is amended to  
19 read as follows:

20 Sec. 493.004. INSTITUTIONAL DIVISION. The institutional  
21 division shall operate and manage:

22 (1) the state prison system; and

23 (2) state jails to confine defendants described by  
24 Section 507.002.

25 SECTION 20. Section 493.005, Government Code, is amended to  
26 read as follows:

27 Sec. 493.005. PAROLE [~~PARDONS AND PAROLES~~] DIVISION. The



1 parole [~~pardons and paroles~~] division shall supervise and  
2 reintegrate individuals [~~felons~~] into society after release from  
3 confinement.

4 SECTION 21. Section 493.0052, Government Code, is amended  
5 to read as follows:

6 Sec. 493.0052. OFFICE OF THE INDEPENDENT AUDITOR [~~INTERNAL~~  
7 ~~AUDIT DIVISION~~]. (a) The office of the independent auditor is  
8 established under the supervision of the board.

9 (b) The board shall hire a director for the office of the  
10 independent auditor [~~internal audit division~~]. The employment of  
11 the director may be terminated only with the approval of the board.

12 (c) [~~(b)~~] The office of the independent auditor [~~internal~~  
13 ~~audit division~~] shall conduct a program of internal auditing in  
14 accordance with Chapter 2102. The program may include internal  
15 audits, contract audits, and community supervision and corrections  
16 department audits for the department. The office [~~division~~] shall:

17 (1) conduct recurring financial and management  
18 audits;

19 (2) conduct internal audits to evaluate department  
20 programs and the economy and efficiency of those programs; and

21 (3) recommend improvements in management and programs  
22 on the basis of evaluations made under this subsection.

23 (d) [~~(c)~~] The director of the office of the independent  
24 auditor [~~internal audit division~~] shall send reports, audits,  
25 evaluations, and recommendations to the board and to the executive  
26 director. The director shall report directly to the board at least  
27 once a year on:

(1) the activities of the office [~~division~~]; and

(2) the response of the department to recommendations made by the office [~~division~~].

(e) [~~(d)~~] The director shall report directly to the board on other matters at the times required by board policy.

SECTION 22. Section 493.0053, Government Code, is amended to read as follows:

Sec. 493.0053. REHABILITATION AND REENTRY [~~PROGRAMS AND SERVICES~~] DIVISION. (a) The rehabilitation and reentry [~~programs and services~~] division shall administer those rehabilitation and reintegration programs and services designated by the board under Subsection (b).

(b) The board shall determine which programs and services operating under the authority of the department are designed for the primary purpose of rehabilitating inmates and shall designate those programs and services as programs and services provided under the direction of the rehabilitation and reentry [~~programs and services~~] division.

SECTION 23. Section 493.0083, Government Code, is amended to read as follows:

Sec. 493.0083. PROGRAM EVALUATION CAPABILITY. The department shall maintain a program evaluation capability separate from the rehabilitation and reentry [~~programs and services~~] division to determine the effectiveness of rehabilitation and reintegration programs and services provided to inmates and other offenders under the jurisdiction of the department.

SECTION 24. Chapter 493, Government Code, is amended by

adding Section 493.0084 to read as follows:

Sec. 493.0084. INVENTORY AND EVALUATION OF ACTIVE PROGRAMS.

(a) The department shall develop and maintain a comprehensive inventory of active programs and activities offered in department facilities that includes the following information for each program:

(1) program goals;

(2) program capacity; and

(3) facilities where the program is offered.

(b) The department shall make the inventory available to the public on the department's Internet website and continuously update the inventory.

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

(d) In carrying out the department's duties under Subsection (c), the department shall:

(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

1 non-evidence-informed programs and develop criteria to evaluate  
2 the programs;

3 (3) collect and analyze relevant data for program  
4 participants in programs claiming rehabilitative or reentry  
5 effects, such as:

6 (A) institutional disciplinary violations;

7 (B) subsequent arrests;

8 (C) subsequent convictions or confinements;

9 (D) employment obtained following release; and

10 (E) cost of confinement; and

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

14 (e) The department may make structural or programmatic  
15 adjustments to improve program performance in response to a program  
16 evaluation under this section indicating poor program performance.

17 (f) Not later than December 1 of each even-numbered year,  
18 the department shall submit a report on the department's analysis  
19 of programs described by Subsection (a) to the board, the Board of  
20 Pardons and Paroles, the governor, the lieutenant governor, the  
21 speaker of the house of representatives, and each standing  
22 committee of the legislature with primary jurisdiction over the  
23 department.

24 (g) The department may enter into a memorandum of  
25 understanding with other entities, including the Texas Workforce  
26 Commission, the Office of Court Administration of the Texas  
27 Judicial System, the Department of Public Safety, the Texas

1 Department of Licensing and Regulation, other regulatory entities,  
2 and institutions of higher education, to obtain and share data  
3 necessary to evaluate programs under this section.

4 SECTION 25. Section 493.009(f)(4), Government Code, is  
5 amended to read as follows:

6 (4) The department, immediately on receiving notice,  
7 shall request the parole [~~pardons and paroles~~] division to reassume  
8 custody of the defendant if the defendant was required to  
9 participate in the program following modification of parole. The  
10 parole [~~pardons and paroles~~] division shall immediately take action  
11 in accordance with established policies and procedures of the Board  
12 of Pardons and Paroles to remove the defendant from the program. If  
13 a parole panel revokes the defendant's parole, the admission of the  
14 defendant to the institutional division is an admission for which  
15 the department must account in the scheduled admissions policy  
16 established under Section 499.071.

17 SECTION 26. Section 493.016(d), Government Code, is amended  
18 to read as follows:

19 (d) The department shall provide notice [~~a written copy~~] of  
20 the department's policies and procedures relating to complaint  
21 investigation and resolution to:

22 (1) all department employees; and

23 (2) each person filing a complaint.

24 SECTION 27. Section 493.019, Government Code, is amended to  
25 read as follows:

26 Sec. 493.019. OFFICE OF THE INSPECTOR GENERAL [~~ENFORCEMENT~~  
27 ~~OFFICERS~~]. (a) The office of the inspector general is established

under the direction of the board as an independent law enforcement agency and is responsible for preventing and investigating:

(1) offenses committed by department employees and inmates; and

(2) offenses committed at a facility operated by or under contract with the department or at any facility in which an individual in the custody of the department is housed or receives medical or mental health treatment, including:

(A) unauthorized or illegal entry into a department facility;

(B) the introduction of contraband into a department facility;

(C) escape from a department facility and parole absconders;

(D) organized criminal activity; and

(E) violations of department policy or procedure.

(b) The board shall employ a commissioned peace officer as the inspector general, who may be terminated by board action.

(c) The inspector general may employ and commission  
~~[appoint employees who are certified by the Texas Commission on Law Enforcement as qualified to be]~~ peace officers for the purpose of  
carrying out the duties described by this section ~~[to serve under the direction of the inspector general and assist the inspector general in performing the enforcement duties of the department]~~.

(d) Peace officers employed and commissioned under Subsection (c) must:

1           (1) be licensed as an officer under Chapter 1701,  
2 Occupations Code; and

3           (2) complete advanced courses relating to the duties  
4 of peace officers employed and commissioned under Subsection (c) as  
5 part of any continuing education requirements for the peace  
6 officers.

7           (e) The office of the inspector general shall work  
8 cooperatively with other law enforcement agencies while performing  
9 its duties under this section or other law.

10           SECTION 28. Chapter 493, Government Code, is amended by  
11 adding Section 493.036 to read as follows:

12           Sec. 493.036. LONG-TERM FACILITIES PLAN. (a) The  
13 department shall prepare a 10-year plan that identifies the  
14 department's facility and capacity needs.

15           (b) In developing the plan under Subsection (a), the  
16 department:

17           (1) must consider the various regional needs of the  
18 state, including any ancillary or community benefits associated  
19 with department facilities; and

20           (2) may contract with a third party as needed.

21           (c) Not later than December 1, 2026, and every fourth  
22 anniversary of that date, the department shall submit:

23           (1) the plan to the board for approval; and

24           (2) the approved plan to the governor, the lieutenant  
25 governor, the speaker of the house of representatives, and each  
26 standing legislative committee with jurisdiction over  
27 appropriations or the department.

SECTION 29. Section 497.022, Government Code, is amended to read as follows:

Sec. 497.022. CONTRACTS. The department may contract with:

(1) another state, the federal government, a foreign government, or an agency of any of those governments to manufacture for or sell to those governments prison-made articles or products;

(2) a private or independent institution of higher education to manufacture for or sell to that school or institution prison-made articles or products; or

(3) a private school or a ~~[visually handicapped]~~ person with visual impairment in this state to manufacture Braille textbooks or other instructional aids for the education of ~~[visually handicapped]~~ persons with visual impairment.

SECTION 30. Section 497.094(b), Government Code, is amended to read as follows:

(b) The department and the Texas Workforce Investment Council by rule shall 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 the department ~~[institutional division or the state jail division]~~ and information on services available to employers or potential employers of those persons. The department shall coordinate the development of the memorandum of understanding.

SECTION 31. Section 497.112, Government Code, is amended to read as follows:

Sec. 497.112. AGRICULTURAL EFFICIENCY AND ECONOMY.



1 (a) The department [~~institutional division~~] shall review annually  
2 the department's agricultural operations [~~of the division~~]. The  
3 review must include:

4 (1) a cost-effectiveness analysis of all agricultural  
5 programs;

6 (2) a determination as to whether the department  
7 [~~institutional division~~] could more economically purchase certain  
8 agricultural products rather than produce those products; and

9 (3) a determination as to whether certain agricultural  
10 operations performed by inmates could be mechanized, taking into  
11 account whether mechanization would adversely affect security or  
12 inmate discipline.

13 (b) The department [~~institutional division~~] shall use the  
14 information provided by the annual review in developing and  
15 improving agricultural operations.

16 (c) The department [~~institutional division~~] shall provide  
17 the board with a copy of the annual review required by this section.

18 SECTION 32. Section 498.001(1), Government Code, is amended  
19 to read as follows:

20 (1) "Inmate" means a person imprisoned by order of a  
21 court, whether the person is actually imprisoned in a facility  
22 operated by or under contract with the institutional division or is  
23 under the supervision or custody of the parole [~~pardons and~~  
24 ~~paroles~~] division.

25 SECTION 33. Section 499.001(3), Government Code, is amended  
26 to read as follows:

27 (3) "Pre-parolee" means an eligible inmate of whom the

1 parole [~~pardons and paroles~~] division has assumed custody.

2 SECTION 34. Sections 499.002(a) and (b), Government Code,  
3 are amended to read as follows:

4 (a) The parole [~~pardons and paroles~~] division may assume  
5 custody of an eligible inmate not more than one year before the  
6 inmate's presumptive parole date or mandatory supervision release  
7 date. The eligible inmate becomes a pre-parolee on the date the  
8 parole [~~pardons and paroles~~] division assumes custody, and the  
9 parole [~~pardons and paroles~~] division immediately shall transfer  
10 the pre-parolee to a community residential facility. Except as  
11 otherwise provided by this subchapter, the pre-parolee may serve  
12 the remainder of the pre-parolee's sentence before release on  
13 parole in the facility designated by the parole [~~pardons and~~  
14 ~~paroles~~] division.

15 (b) At the time of the transfer of the pre-parolee, the  
16 parole [~~pardons and paroles~~] division shall designate a community  
17 residential facility as the pre-parolee's assigned unit of  
18 confinement.

19 SECTION 35. Sections 499.0021(b) and (c), Government Code,  
20 are amended to read as follows:

21 (b) The parole [~~pardons and paroles~~] division may assume  
22 custody of an inmate who is eligible for transfer under this section  
23 not earlier than one year before the inmate's presumptive parole  
24 date. The inmate becomes a pre-parolee on the date the parole  
25 [~~pardons and paroles~~] division assumes custody, and the parole  
26 [~~pardons and paroles~~] division immediately shall transfer the  
27 pre-parolee to a facility under contract with the department, which

1 may be a community residential facility, a community corrections  
2 facility listed in Section 509.001, or a county correctional  
3 facility. A pre-parolee transferred under this section is  
4 considered to be in the actual physical custody of the parole  
5 ~~[pardons and paroles]~~ division.

6 (c) A pre-parolee transferred by the parole ~~[pardons and~~  
7 ~~paroles]~~ division to a facility under this section is subject to the  
8 provisions of Sections 499.002(c), 499.004, and 499.005 in the same  
9 manner as if the person were a pre-parolee who had been transferred  
10 to a community residential facility under Section 499.002.

11 SECTION 36. Sections 499.003(b), (c), and (d), Government  
12 Code, are amended to read as follows:

13 (b) The parole ~~[pardons and paroles]~~ division may authorize  
14 the transfer of an eligible person from a jail in this state, a  
15 federal correctional institution, or a jail or correctional  
16 institution in another state to a secure community residential  
17 facility designated by the parole ~~[pardons and paroles]~~ division  
18 not more than one year before the person's presumptive parole date  
19 or mandatory supervision release date. A person transferred under  
20 this section is considered to be in the actual physical custody of  
21 the parole ~~[pardons and paroles]~~ division.

22 (c) A person transferred by the parole ~~[pardons and paroles]~~  
23 division to a secure community residential facility is subject to  
24 the provisions of Sections 499.002(c), 499.004, and 499.005 in the  
25 same manner as if the person is a pre-parolee who had been  
26 transferred to a community residential facility under Section  
27 499.002.

1           (d) The parole [~~pardons and paroles~~] division may request of  
2 a sheriff that the sheriff forward to the parole [~~pardons and~~  
3 ~~paroles~~] division copies of any records possessed by the sheriff  
4 that are relevant to the parole [~~pardons and paroles~~] division in  
5 its determination as to whether to transfer a person from the county  
6 jail to a secure community residential facility, and the parole  
7 [~~pardons and paroles~~] division shall request the sheriff to forward  
8 to the institutional division and to the parole [~~pardons and~~  
9 ~~paroles~~] division the information relating to the defendant the  
10 sheriff would be required under Section 8, Article 42.09, Code of  
11 Criminal Procedure, to deliver to the department had the defendant  
12 been transferred to the institutional division. The parole  
13 [~~pardons and paroles~~] division shall determine whether the  
14 information forwarded by the sheriff contains a thumbprint taken  
15 from the person in the manner provided by Article 38.33, Code of  
16 Criminal Procedure, and, if not, the parole [~~pardons and paroles~~]  
17 division shall obtain a thumbprint in the manner provided by that  
18 article, and shall forward the thumbprint to the institutional  
19 division for inclusion with the information sent by the  
20 sheriff. The sheriff shall comply with a request from the parole  
21 [~~pardons and paroles~~] division made under this subsection.

22           SECTION 37. Sections 499.004(b), (c), and (d), Government  
23 Code, are amended to read as follows:

24           (b) On transfer, the pre-parolee is subject to supervision  
25 by the parole [~~pardons and paroles~~] division and shall obey the  
26 orders of the Board of Pardons and Paroles and the parole [~~pardons~~  
27 ~~and paroles~~] division.

1 (c) A facility director or designee of a facility director  
2 shall immediately report to the parole [~~pardons and paroles~~]  
3 division in writing if the director or designee believes that a  
4 pre-parolee has violated the terms of the pre-parolee's transfer  
5 agreement or the rules of the facility. The parole [~~pardons and~~  
6 ~~paroles~~] division may require an agent of the parole [~~pardons and~~  
7 ~~paroles~~] division or the community residential facility to conduct  
8 a hearing.

9 (d) If the parole [~~pardons and paroles~~] division has an  
10 administrative need to deliver the pre-parolee to the custody of  
11 the institutional division or if after a disciplinary hearing the  
12 parole [~~pardons and paroles~~] division concurs that a violation has  
13 occurred, the parole [~~pardons and paroles~~] division may deliver the  
14 pre-parolee to the actual custody of the institutional division and  
15 the institutional division may assign the pre-parolee to a regular  
16 unit of the institutional division. If the parole [~~pardons and~~  
17 ~~paroles~~] division recommends rescission or revision of the  
18 pre-parolee's presumptive parole date, a parole panel shall rescind  
19 or revise the date unless it determines the action is  
20 inappropriate.

21 SECTION 38. Sections [499.022](#)(a) and (c), Government Code,  
22 are amended to read as follows:

23 (a) The purpose of this subchapter is to:

24 (1) allow the department [~~institutional division~~] the  
25 flexibility to house inmates in appropriate settings and determine  
26 the proper amount of available housing; and

27 (2) provide the executive branch with alternatives to

1 appropriately balance population, consistent with the intent of  
2 this subchapter, if the population of the department [~~division~~]  
3 reaches 95 percent of capacity or if a backlog of convicted felons  
4 exists in the county jails in this state, as determined by this  
5 subchapter.

6 (c) This subchapter does not:

7 (1) create a right on the part of an inmate confined in  
8 the department [~~institutional division~~] to serve the inmate's  
9 sentence in a department with a population below 95 percent of  
10 capacity, as determined by this subchapter;

11 (2) grant to an inmate the right to be released or to  
12 be considered for release if the inmate population of the  
13 department [~~division~~] reaches 95 percent of capacity as determined  
14 under this subchapter;

15 (3) require a population level below 95 percent of  
16 capacity as determined by this subchapter; or

17 (4) require the board or the Board of Pardons and  
18 Paroles to take an action under this subchapter because a backlog of  
19 convicted felons exists in the county jails in this state.

20 SECTION 39. Sections 499.025(a) and (b), Government Code,  
21 are amended to read as follows:

22 (a) If the inmate population of the department  
23 [~~institutional division~~] reaches 99 percent or more of capacity,  
24 the executive director shall immediately notify [~~the executive~~  
25 ~~director and~~] the board in writing of that fact. Until the inmate  
26 population is reduced to less than 99 percent of capacity, the  
27 executive director shall make a weekly written report to [~~the~~

1 ~~executive director and~~ the board stating the extent to which the  
2 inmate population is less than, equal to, or in excess of capacity.

3 (b) If the inmate population of the department  
4 ~~[institutional division]~~ reaches 100 percent of capacity or, if the  
5 board ~~[attorney general]~~ has authorized an increase in the  
6 permissible percentage of capacity under Section 499.109, the  
7 inmate population reaches that increased permissible percentage,  
8 the executive director shall immediately notify ~~[the executive~~  
9 ~~director,~~ the board~~]~~ and the attorney general in writing of that  
10 fact. The attorney general shall certify to the board in writing  
11 as to whether the department ~~[institutional division]~~ has reached  
12 100 percent of capacity or, if applicable, the increased  
13 permissible percentage. If the attorney general certifies that  
14 100 percent of capacity has been reached or, if applicable, that the  
15 increased permissible percentage has been reached, the board shall  
16 immediately certify that an emergency overcrowding situation  
17 exists and direct the Board of Pardons and Paroles to proceed in the  
18 manner described by Subsection (c). If the Commission on Jail  
19 Standards determines that in any county jail in this state there  
20 exists an inmate awaiting transfer to the department ~~[institutional~~  
21 ~~division]~~ following conviction of a felony or revocation of  
22 probation, parole, or release on mandatory supervision and for whom  
23 all paperwork and processing required for transfer have been  
24 completed for not less than 45 days, the board may direct the Board  
25 of Pardons and Paroles to proceed in the manner described by  
26 Subsection (c).

27 SECTION 40. Section 499.026(b), Government Code, is amended

to read as follows:

(b) The authority of the board to take the actions listed in Section 499.025(b) continues until the attorney general, or if appropriate, the Commission on Jail Standards, certifies in writing to the board that the overcrowding crisis that produced the emergency certification under Section 499.025(b) has been resolved. If the board receives this certification from the attorney general or the Commission on Jail Standards under this subsection, the board shall immediately notify the parole ~~[pardons and paroles]~~ division that the emergency overcrowding situation no longer exists.

SECTION 41. Section 499.101, Government Code, is amended to read as follows:

Sec. 499.101. MAXIMUM CAPACITIES ~~[EXISTING UNITS]~~. (a) The board by rule shall establish maximum capacities for the units in the department. ~~[institutional division are as follows:]~~

<del>[Beto I</del>	<del>3,000</del>
<del>[Beto II</del>	<del>888</del>
<del>[Boyd</del>	<del>1,012</del>
<del>[Briscoe</del>	<del>1,012</del>
<del>[Central</del>	<del>720</del>
<del>[Clemens</del>	<del>851</del>
<del>[Clements</del>	<del>2,200</del>
<del>[Coffield</del>	<del>3,000</del>
<del>[Daniel</del>	<del>1,012</del>
<del>[Darrington</del>	<del>1,610</del>
<del>[Diagnostic</del>	<del>1,365</del>



1	[Eastham . . . . .	2,050
2	[Ellis I . . . . .	1,900
3	[Ellis II . . . . .	2,260
4	[Ferguson . . . . .	2,100
5	[Gatesville . . . . .	1,571
6	[Goree . . . . .	1,058
7	[Hightower . . . . .	1,012
8	[Hilltop . . . . .	761
9	[Hobby . . . . .	1,012
10	[Hughes . . . . .	2,264
11	[Huntsville . . . . .	1,705
12	[Jester I . . . . .	323
13	[Jester II . . . . .	378
14	[Jester III . . . . .	908
15	[Lewis . . . . .	1,012
16	[McConnell . . . . .	2,264
17	[Michael . . . . .	2,264
18	[Mountain View . . . . .	718
19	[Pack I . . . . .	864
20	[Pack II . . . . .	1,088
21	[Panpa . . . . .	1,012
22	[Ramsey I . . . . .	1,400
23	[Ramsey II . . . . .	850
24	[Ramsey III . . . . .	1,000
25	[Retrieve . . . . .	770
26	[Roach . . . . .	1,012
27	[Robertson . . . . .	2,264

1	[Smith . . . . .	1,012
2	[Stiles . . . . .	2,264
3	[Terrell . . . . .	2,264
4	[Torres . . . . .	1,012
5	[Wynne . . . . .	2,300]

6 (b) It is the intent of the legislature that as case law  
7 evolves and indicates that maximum capacities for units in the  
8 department [~~established under Subsection (a)~~] may be increased, the  
9 staff of the department [~~institutional division~~] shall use the  
10 procedures established by this subchapter to increase those  
11 capacities. There shall be no cause of action against the  
12 institutional division for failure to take action under this  
13 subsection.

14 SECTION 42. Section 499.102, Government Code, is amended to  
15 read as follows:

16 Sec. 499.102. STAFF DETERMINATIONS AND RECOMMENDATIONS.

17 (a) The staff of the department [~~institutional division~~], on its  
18 own initiative or as directed by the governor or the board, may  
19 recommend to the administration of the institutional division that  
20 the maximum capacity [~~established under Section 499.101~~] for a unit  
21 be increased if the staff determines through written findings that  
22 the division can increase the maximum capacity and provide:

- 23 (1) proper inmate classification and housing within  
24 the unit that is consistent with the classification system;
- 25 (2) housing flexibility to allow necessary repairs and  
26 routine and preventive maintenance to be performed without  
27 compromising the classification system;

- 1           (3)   adequate space in dayrooms;
- 2           (4)   all meals within a reasonable time, allowing each
- 3 inmate a reasonable time within which to eat;
- 4           (5)   operable hygiene facilities that ensure the
- 5 availability of a sufficient number of fixtures to serve the inmate
- 6 population;
- 7           (6)   adequate laundry services;
- 8           (7)   sufficient staff to:
- 9                (A)   meet operational and security needs;
- 10              (B)   meet health care needs, including the needs
- 11 of inmates requiring psychiatric care, inmates with an intellectual
- 12 disability, and inmates with a physical disability;
- 13              (C)   provide a safe environment for inmates and
- 14 staff; and
- 15              (D)   provide       adequate       internal       affairs
- 16 investigation and review;
- 17           (8)   medical, dental, and psychiatric care adequate to
- 18 ensure:
- 19                (A)   minimal delays in delivery of service from
- 20 the time sick call requests are made until the service is performed;
- 21                (B)   access to regional medical facilities;
- 22                (C)   access to the institutional division
- 23 hospital at Galveston or contract facilities performing the same
- 24 services;
- 25                (D)   access to specialty clinics; and
- 26                (E)   a sufficient number of psychiatric inpatient
- 27 beds and sheltered beds for inmates with an intellectual

1 disability;

2 (9) a fair disciplinary system that ensures due  
3 process and is adequate to ensure safety and order in the unit;

4 (10) work, vocational, academic, and on-the-job  
5 training programs that afford all eligible inmates with an  
6 opportunity to learn job skills or work habits that can be applied  
7 on release, appropriately staffed and of sufficient quality;

8 (11) a sufficient number and quality of  
9 nonprogrammatic and recreational activities for all eligible  
10 inmates who choose to participate;

11 (12) adequate assistance from persons trained in the  
12 law or a law library with a collection containing necessary  
13 materials and space adequate for inmates to use the law library for  
14 study related to legal matters;

15 (13) adequate space and staffing to permit contact and  
16 noncontact visitation of all eligible inmates;

17 (14) adequate maintenance programs to repair and  
18 prevent breakdowns caused by increased use of facilities and  
19 fixtures; and

20 (15) space and staff sufficient to provide all the  
21 services and facilities required by this section.

22 (b) The staff of the department [~~institutional division~~]  
23 shall request of the Legislative Budget Board an estimate of the  
24 initial cost of implementing the increase in capacity and the  
25 increase in operating costs of the unit for the five years  
26 immediately following the increase in capacity. The Legislative  
27 Budget Board shall provide the staff with the estimates, and the

1 staff shall attach a copy of the estimates to the recommendations.

2 (c) The staff of the department [~~institutional division~~]  
3 may not take more than 90 days from the date the process is  
4 initiated to make recommendations on an increase in the maximum  
5 capacity for a unit under this section.

6 SECTION 43. Section 499.104, Government Code, is amended to  
7 read as follows:

8 Sec. 499.104. OFFICERS' REVIEW AND RECOMMENDATION. The  
9 executive director of the department, the director of the  
10 institutional division, the deputy director for operations, the  
11 deputy director for finance, the deputy director for programs, the  
12 division [~~deputy~~] director for health services, and the division  
13 [~~assistant~~] director for classification and inmate transportation  
14 [~~treatment~~] shall independently review staff recommendations for  
15 an increase in the maximum capacity of a unit and the written  
16 findings accompanying the recommendation. Not later than the 30th  
17 day after the date of accepting the comments of the other officers,  
18 if the executive director agrees that the new maximum capacity for  
19 the unit is supported by the findings, the executive director shall  
20 forward the recommendation and findings to the board.

21 SECTION 44. Section 499.105, Government Code, is amended to  
22 read as follows:

23 Sec. 499.105. BOARD REVIEW AND IMPLEMENTATION; NOTICE TO  
24 GOVERNOR [~~RECOMMENDATION~~]. The board shall review the  
25 recommendation and findings forwarded to the board under Section  
26 499.104. Not later than the 60th day after the date the board  
27 receives the recommendation and findings, the board shall reject

the recommendation or accept or modify the recommendation. The board may establish a new maximum capacity based on the accepted or modified recommendation. The board shall ~~[and]~~ forward the recommendation or modified recommendation and findings to the governor. The board may not modify the recommendation by increasing the maximum capacity specified in the recommendation.

SECTION 45. Section 499.108(b), Government Code, is amended to read as follows:

(b) Maximum capacity for a unit must be established under this section in the same manner as maximum capacity for a unit is increased under Sections 499.102, 499.104, and 499.105~~[, 499.106, and 499.107]~~, except that time limits on official actions imposed by those sections do not apply.

SECTION 46. Section 499.109, Government Code, is amended to read as follows:

Sec. 499.109. SYSTEM CAPACITY. (a) The inmate population of the department ~~[institutional division]~~ may not exceed 100 percent of the combined capacities of each unit in the department ~~[division]~~, as determined by this subchapter.

(b) The board ~~[attorney general]~~ may authorize the department ~~[institutional division]~~ to increase the inmate population of the department ~~[division]~~ above 100 percent, but only if:

(1) the staff determines through written findings that the population may be increased without limiting the ability of the division to transfer inmates between units as necessary for classification, medical, and security purposes; and

(2) the administration of the department and~~[7]~~ the board~~[7, 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~~[7]~~ 499.105~~[7, and 499.106]~~.

(c) If the board ~~[attorney general]~~ authorizes the department ~~[institutional division]~~ to increase the inmate population of the department ~~[division]~~ above 100 percent, the department ~~[institutional division]~~ shall distribute the additional admissions permitted by the increase among counties or groups of counties in the same manner as regular admissions are distributed under the allocation formula.

SECTION 47. Subchapter F, Chapter 499, Government Code, is amended by adding Section 499.1214 to read as follows:

Sec. 499.1214. PEN PACKET SUBMISSION TRAINING. (a) The department shall develop and provide annual training for county employees on the submission of documents required before the department takes custody of a person being transferred from a county jail to the department, including documents required under Sections 8(a) and (c), Article 42.09, Code of Criminal Procedure.

(b) The training required under this section may be offered in person or online. Online training may be offered live or prerecorded.

SECTION 48. Section 499.156, Government Code, is amended to read as follows:

Sec. 499.156. VOCATIONAL TRAINING. The department shall adopt a policy under which a representative of a public or private entity, including a public or private institution of higher

1 education, may provide vocational training on a voluntary basis to  
2 inmates ~~[confined in a transfer facility authorized under this~~  
3 ~~subchapter]~~.

4 SECTION 49. Section 501.002, Government Code, is amended to  
5 read as follows:

6 Sec. 501.002. ASSAULT BY EMPLOYEE ON INMATE. If an employee  
7 of the department commits an assault on an inmate housed in a  
8 facility operated by or under contract with the department, the  
9 executive director shall refer the matter to an appropriate law  
10 enforcement ~~[file a complaint with the proper]~~ official ~~[of the~~  
11 ~~county in which the offense occurred]~~. If an employee is charged  
12 with an assault described by this section, an inmate or person who  
13 was an inmate at the time of the alleged offense may testify in a  
14 prosecution of the offense.

15 SECTION 50. Section 501.009, Government Code, is amended to  
16 read as follows:

17 Sec. 501.009. VOLUNTEER AND FAITH-BASED ORGANIZATIONS~~[+~~  
18 ~~REPORT]~~. (a) The department shall adopt a policy that requires  
19 department staff ~~[each warden]~~ to identify volunteer and  
20 faith-based organizations that provide programs for inmates housed  
21 in facilities operated by the department. The policy must require  
22 the staff ~~[each warden]~~ to actively encourage volunteer and  
23 faith-based organizations to provide the following programs for  
24 inmates in department facilities ~~[the warden's facility]~~:

- 25 (1) literacy and education programs;
- 26 (2) life skills programs;
- 27 (3) job skills programs;



- 1           (4) parent-training programs;  
2           (5) drug and alcohol rehabilitation programs;  
3           (6) support group programs;  
4           (7) arts and crafts programs; and  
5           (8) other programs determined by the department to aid  
6 inmates in the transition between confinement and society and to  
7 reduce incidence of recidivism among inmates.

8           (b) The policy must require the staff to solicit feedback  
9 from the warden and chaplains of each facility on the facility's  
10 needs regarding volunteer and faith-based organization provided  
11 programs.

12           (c) The department shall include in the biennial report  
13 required under Section 493.0084(f) ~~[that each warden submit a~~  
14 ~~report to the board not later than December 31 of each year that~~  
15 ~~includes, for the preceding fiscal year,~~ a summary of:

16           (1) the programs provided to inmates under this  
17 section; and

18           (2) the actions taken ~~[by the warden]~~ to identify  
19 volunteer and faith-based organizations willing to provide  
20 programs to inmates and to encourage those organizations to provide  
21 programs in the department facilities ~~[warden's facility]~~.

22           SECTION 51. Sections 501.015(b) and (d), Government Code,  
23 are amended to read as follows:

24           (b) When an inmate is released on parole, mandatory  
25 supervision, or conditional pardon, the inmate is entitled to  
26 receive \$100 from the department and transportation at the expense  
27 of the department to the location at which the inmate is required to

1 report to a parole officer by the parole [~~pardons and paroles~~]  
2 division. The inmate shall receive \$50 on [~~his~~] release from the  
3 institution and \$50 on initially reporting to a parole officer at  
4 the location at which the inmate is required to report to a parole  
5 officer. If an inmate is released and is not required by the parole  
6 [~~pardons and paroles~~] division to report to a parole officer or is  
7 authorized by the parole [~~pardons and paroles~~] division to report  
8 to a location outside this state, the department shall provide the  
9 inmate with \$100 and, at the expense of the department,  
10 transportation to:

11 (1) the location of the inmate's residence, if the  
12 residence is in this state; or

13 (2) a transit point determined appropriate by the  
14 department, if the inmate's residence is outside this state or the  
15 inmate is required by the parole [~~pardons and paroles~~] division to  
16 report to a location outside this state.

17 (d) The department [~~director of the institutional division~~]  
18 shall provide the comptroller with funds sufficient to maintain not  
19 less than \$100,000 in a bank or banks in this state [~~Huntsville,~~  
20 ~~Texas,~~] for the purpose of making prompt payments to inmates  
21 required by Subsection (b). Funds maintained in a bank under this  
22 subsection must be secured by bonds or other securities approved by  
23 the attorney general.

24 SECTION 52. Section 501.017(b), Government Code, is amended  
25 to read as follows:

26 (b) The department may not enforce a claim or lien  
27 established under this section if the inmate has a surviving spouse

1 or a surviving dependent or child with a disability [~~disabled~~  
2 ~~child~~].

3 SECTION 53. Section 501.054(h), Government Code, is amended  
4 to read as follows:

5 (h) The department shall report to the legislature not later  
6 than December 1 [~~January 15~~] of each even-numbered [~~odd-numbered~~]  
7 year concerning the implementation of this section and the  
8 participation of inmates and employees of the department in  
9 education programs established under this section.

10 SECTION 54. Section 501.055(a), Government Code, is amended  
11 to read as follows:

12 (a) If an inmate dies while in the custody of the  
13 department, an employee of the facility who is in charge of the  
14 inmate shall immediately notify the nearest justice of the peace  
15 serving in the county in which the inmate died and the office of  
16 inspector general [~~internal affairs for the department~~]. The  
17 justice shall personally inspect the body and make an inquiry as to  
18 the cause of death. The justice shall make written copies of  
19 evidence taken during the inquest, and give one copy to the director  
20 and one copy to a district judge serving in the county in which the  
21 inmate died. The judge shall provide the copy to the grand jury  
22 and, if the judge determines the evidence indicates wrongdoing,  
23 instruct the grand jury to thoroughly investigate the cause of  
24 death.

25 SECTION 55. Sections 501.057(a) and (b), Government Code,  
26 are amended to read as follows:

27 (a) The department shall establish a system to identify

1 ~~[mentally ill]~~ inmates with mental illness who are nearing  
2 eligibility for release on parole.

3 (b) Not later than the 30th day before the initial parole  
4 eligibility date of an inmate identified as having a mental illness  
5 ~~[mentally ill]~~, an institutional division psychiatrist shall  
6 examine the inmate. The psychiatrist shall file a sworn  
7 application for court-ordered temporary mental health services  
8 under Chapter 574, Health and Safety Code, if the psychiatrist  
9 determines that the inmate has a mental illness ~~[is mentally ill]~~  
10 and as a result of the illness the inmate meets at least one of the  
11 criteria listed in Section 574.034 or 574.0345, Health and Safety  
12 Code.

13 SECTION 56. The heading to Section 501.069, Government  
14 Code, is amended to read as follows:

15 Sec. 501.069. OFFENDERS WITH INTELLECTUAL OR DEVELOPMENTAL  
16 DISABILITIES ~~[DEVELOPMENTALLY DISABLED OFFENDER PROGRAM]~~.

17 SECTION 57. Section 501.092(i), Government Code, is amended  
18 to read as follows:

19 (i) Not later than December ~~[September]~~ 1 of each  
20 even-numbered year, the department shall deliver a report of the  
21 results of evaluations conducted under Subsection (b)(7) to the  
22 lieutenant governor, the speaker of the house of representatives,  
23 and each standing committee of the senate and house of  
24 representatives having primary jurisdiction over the department.

25 SECTION 58. Section 501.093(c), Government Code, is amended  
26 to read as follows:

27 (c) The memorandum of understanding must establish methods

1 for:

2 (1) identifying inmates with a history of drug or  
3 alcohol abuse;

4 (2) notifying the parole [~~pardons and paroles~~]  
5 division and the Health and Human Services Commission as to when an  
6 inmate with a history of drug or alcohol abuse is to be released and  
7 as to the inmate's release destination;

8 (3) identifying the services needed by inmates with a  
9 history of drug or alcohol abuse to reenter the community  
10 successfully; and

11 (4) determining the manner in which each agency that  
12 participates in the establishment of the memorandum can share  
13 information about inmates and use that information to provide  
14 continuity of care.

15 SECTION 59. Section 501.095(c), Government Code, is amended  
16 to read as follows:

17 (c) The memorandum of understanding must establish methods  
18 for:

19 (1) identifying inmates with a history of chronic  
20 unemployment;

21 (2) notifying the parole [~~pardons and paroles~~]  
22 division and the commission as to when an inmate with a history of  
23 chronic unemployment is to be released and as to the inmate's  
24 release destination;

25 (3) identifying the services needed by inmates with a  
26 history of chronic unemployment to reenter the community  
27 successfully; and

1           (4) determining the manner in which each agency that  
2 participates in the establishment of the memorandum can share  
3 information about inmates and use that information to provide  
4 continuity of care.

5           SECTION 60. Subchapter C, Chapter 501, Government Code, is  
6 amended by adding Section 501.104 to read as follows:

7           Sec. 501.104. STRATEGIC PLAN FOR REHABILITATION AND REENTRY  
8 PROGRAMS. (a) In this section, "parole-voted program" has the  
9 meaning assigned by Section 508.1521.

10           (b) The department and the Windham School District shall  
11 jointly develop a strategic plan for the provision of  
12 rehabilitation and reentry programs to inmates. The strategic plan  
13 must include program objectives and timelines intended to:

14                   (1) increase program efficiencies, including  
15 eliminating delays in placing inmates into parole-voted programs;

16                   (2) reduce program redundancies;

17                   (3) incorporate new evidence-based and  
18 evidence-informed program approaches; and

19                   (4) incorporate technology-based solutions.

20           (b-1) The strategic plan must include clear steps and  
21 timelines to reduce, by September 1, 2027, overall parole-voted  
22 program placement timelines by at least 50 percent compared to the  
23 timelines on August 31, 2023. This subsection expires December 31,  
24 2027.

25           (c) In developing the strategic plan, the department shall  
26 evaluate therapeutic service contracts and obligations and  
27 renegotiate the contracts and obligations as necessary to meet

1 current and projected program needs.

2 (d) The department and the Windham School District shall  
3 jointly update the strategic plan at least once every five years.

4 (e) Not later than December 1 of each even-numbered year,  
5 the department and the Windham School District shall submit a joint  
6 report on the implementation of the strategic plan to the board, the  
7 Board of Pardons and Paroles, the governor, the lieutenant  
8 governor, the speaker of the house of representatives, and each  
9 standing committee of the legislature with primary jurisdiction  
10 over the department.

11 (f) In preparing the report under Subsection (e), the  
12 department and the Windham School District shall consider the most  
13 recent report prepared under Section 501.103.

14 SECTION 61. Section 501.138(c), Government Code, is amended  
15 to read as follows:

16 (c) If the executive director [~~managed health care~~  
17 ~~administrator~~] has knowledge that a potential ground for removal  
18 exists, the executive director [~~administrator~~] shall notify the  
19 presiding officer of the committee of the potential ground. The  
20 presiding officer shall then notify the governor and the attorney  
21 general that a potential ground for removal exists. If the  
22 potential ground for removal involves the presiding officer, the  
23 executive director [~~managed health care administrator~~] shall  
24 notify the next highest ranking officer of the committee, who shall  
25 then notify the governor and the attorney general that a potential  
26 ground for removal exists.

27 SECTION 62. Section 501.140, Government Code, is amended by

amending Subsection (b) and adding Subsection (d) to read as follows:

(b) The training program must provide the person with information regarding:

(1) the law governing committee operations ~~[legislation that created the committee];~~

(2) the programs, functions, rules, and budget of ~~[operated by]~~ the committee;

(3) the scope of and limitations on the rulemaking authority ~~[role and functions]~~ of the committee;

(4) ~~[the rules of the committee with an emphasis on the rules that relate to disciplinary and investigatory authority;~~

~~[(5) the current budget for the committee;~~

~~[(6)]~~ the results of the most recent formal audit of the committee;

(5) ~~[(7)]~~ the requirements of:

(A) laws relating to [the] open meetings, public information, administrative procedure, and disclosing conflicts of interest ~~[law, Chapter 551]; and~~

(B) other laws applicable to members of a state policy-making body in performing their duties ~~[the public information law, Chapter 552,~~

~~[(C) the administrative procedure law, Chapter 2001, and~~

~~[(D) other laws relating to public officials, including conflict-of-interest laws]; and~~

(6) ~~[(8)]~~ any applicable ethics policies adopted by



1 the department [~~committee~~] or the Texas Ethics Commission.

2 (d) The executive director shall create a training manual  
3 that includes the information required by Subsection (b). The  
4 executive director shall distribute a copy of the training manual  
5 annually to each member of the committee. Each member of the  
6 committee shall sign and submit to the executive director a  
7 statement acknowledging that the member received and has reviewed  
8 the training manual.

9 SECTION 63. The heading to Chapter 507, Government Code, is  
10 amended to read as follows:

11 CHAPTER 507. STATE JAIL MANAGEMENT [~~DIVISION~~]

12 SECTION 64. Sections 507.001(a) and (b), Government Code,  
13 are amended to read as follows:

14 (a) The department [~~state jail division~~] may operate,  
15 maintain, and manage state jail felony facilities to confine  
16 inmates described by Section 507.002, and the department may  
17 finance and construct those facilities. The department [~~state jail~~  
18 ~~division~~], with the approval of the board, may contract with [~~the~~  
19 ~~institutional division,~~] a private vendor, a community supervision  
20 and corrections department, or the commissioners court of a county  
21 for the construction, operation, maintenance, or management of a  
22 state jail felony facility. The community justice assistance  
23 division shall assist the department [~~state jail division~~] to  
24 contract with a community supervision and corrections department  
25 for the construction, operation, maintenance, or management of a  
26 state jail felony facility. [~~The state jail division shall consult~~  
27 ~~with the community justice assistance division before contracting~~

1 ~~with a community supervision and corrections department under this~~  
2 ~~section.]~~ A community supervision and corrections department or  
3 the commissioners court of a county that contracts under this  
4 section may subcontract with a private vendor for the provision of  
5 any or all services described by this subsection. A community  
6 supervision and corrections department that contracts under this  
7 section may subcontract with the commissioners court of a county  
8 for the provision of any or all services described by this  
9 subsection. The board may contract with a private vendor or the  
10 commissioners court of a county for the financing or construction  
11 of a state jail felony facility.

12 (b) The department [~~community justice assistance division~~  
13 ~~and the state jail division~~] shall develop and implement work  
14 programs and programs of rehabilitation, education, and recreation  
15 in state jail felony facilities. For each state jail felony  
16 facility, the community justice assistance division and the  
17 department [~~state jail division~~] shall consult with the community  
18 supervision and corrections departments and the community justice  
19 councils served by the facility in developing programs in that  
20 facility, and shall develop the programs in a manner that makes  
21 appropriate use of facilities and personnel of the community  
22 supervision and corrections departments. In developing the  
23 programs, the department [~~state jail division~~] and the community  
24 justice assistance division shall attempt to structure programs so  
25 that they are operated on a 90-day cycle, although the department  
26 and the division [~~divisions~~] should deviate from a 90-day schedule  
27 as necessary to meet the requirements of a particular program.

SECTION 65. Section 507.002, Government Code, is amended to read as follows:

Sec. 507.002. ELIGIBLE DEFENDANTS. The department [~~state jail division~~] may confine in a state jail felony facility authorized by this subchapter defendants required by a judge to serve a term of confinement in a state jail felony facility following a grant of deferred adjudication for or conviction of an offense punishable as a state jail felony.

SECTION 66. Section 507.006(a), Government Code, is amended to read as follows:

(a) Notwithstanding any other provision of this subchapter, the department [~~state jail division~~], with the approval of the board, may designate one or more state jail felony facilities to treat inmates who are eligible for confinement in a substance abuse felony punishment facility under Section 493.009 or to house inmates who are sentenced to imprisonment in the institutional division, but only if the designation does not deny placement in a state jail felony facility of defendants required to serve terms of confinement in a facility following conviction of state jail felonies. The department [~~division~~] may not house in a state jail felony facility an inmate who:

(1) has a history of or has shown a pattern of violent or assaultive behavior in county jail or a facility operated by the department; or

(2) will increase the likelihood of harm to the public if housed in the facility.

SECTION 67. Section 507.022, Government Code, is amended to

1 read as follows:

2       Sec. 507.022. EMPLOYEES' SALARIES, ROOM AND BOARD, AND  
3 MEDICAL CARE. (a) Salaries of department employees assigned to a  
4 ~~[of the]~~ state jail felony facility ~~[division]~~ and the provision of  
5 board, lodging, uniforms, and other provisions to employees are as  
6 provided by the General Appropriations Act.

7       (b) Department employees assigned to a ~~[Employees of the]~~  
8 state jail felony facility ~~[division]~~ who are injured in the line of  
9 duty are entitled to receive free medical care and hospitalization  
10 from institutional division doctors and the institutional division  
11 hospital.

12       SECTION 68. Sections 507.023(a) and (b), Government Code,  
13 are amended to read as follows:

14       (a) The department ~~[state jail division]~~ shall establish  
15 and provide education programs to educate department ~~[state jail~~  
16 ~~division]~~ employees and defendants in state jail felony facilities  
17 about AIDS and HIV in the same manner as the institutional division  
18 establishes and provides programs for employees and inmates under  
19 Section 501.054.

20       (b) The department ~~[state jail division]~~ shall adopt a  
21 policy for handling a defendant with AIDS or HIV and shall test a  
22 defendant for AIDS or HIV in the same manner and subject to the same  
23 conditions as apply to the institutional division under Section  
24 501.054.

25       SECTION 69. Section 507.024, Government Code, is amended to  
26 read as follows:

27       Sec. 507.024. TRANSPORTATION OF DEFENDANTS. The board

1 shall adopt rules to provide for the safe transfer of defendants  
2 from counties to state jail felony facilities. A sheriff may  
3 transport defendants to a state jail felony facility if the sheriff  
4 is able to perform the service as economically as if the service  
5 were performed by the department [~~division~~]. The department [~~state~~  
6 ~~jail division~~] is responsible for the cost of transportation of  
7 defendants to a state jail felony facility [~~the division~~].  
8 Defendants may be transported with other persons being transported  
9 to the custody of the department provided appropriate security  
10 precautions prescribed by policies of the department are taken.

11 SECTION 70. Section 507.025, Government Code, is amended to  
12 read as follows:

13 Sec. 507.025. MEDICAL CARE. The department [~~state jail~~  
14 ~~division~~], with the approval of the board, may contract with [~~the~~  
15 ~~institutional division~~] a private vendor[7] or any public health  
16 care provider for the provision of medical services to defendants  
17 in state jail felony facilities.

18 SECTION 71. Section 507.029, Government Code, is amended to  
19 read as follows:

20 Sec. 507.029. USE OF INMATE LABOR. The department may use  
21 the labor of inmates of the institutional division in any work or  
22 community service program or project performed by a [~~the~~] state  
23 jail felony facility [~~division~~].

24 SECTION 72. Sections 507.030(a-1) and (b), Government Code,  
25 are amended to read as follows:

26 (a-1) The department [~~state jail division~~] shall allow the  
27 governor, members of the legislature, and officials of the

1 executive and judicial branches to enter during business hours any  
2 part of a state jail felony facility operated by the department  
3 ~~[division]~~, for the purpose of observing the operations of the  
4 department ~~[division]~~. A visitor described by this subsection may  
5 talk with defendants away from ~~[division]~~ employees of the state  
6 jail felony facility.

7 (b) The department ~~[state jail division]~~ shall establish a  
8 visitation policy for persons confined in state jail felony  
9 facilities. The visitation policy must:

10 (1) allow visitation by a guardian of a defendant  
11 confined in a state jail felony facility to the same extent as the  
12 defendant's next of kin, including placing the guardian on the  
13 defendant's approved visitors list on the guardian's request and  
14 providing the guardian access to the defendant during a facility's  
15 standard visitation hours if the defendant is otherwise eligible to  
16 receive visitors; and

17 (2) require the guardian to provide the director of  
18 the facility with letters of guardianship before being allowed to  
19 visit the defendant.

20 SECTION 73. Section [507.031](#), Government Code, is amended to  
21 read as follows:

22 Sec. 507.031. FURLOUGH PROGRAM. (a) The director of a  
23 state jail felony facility may grant a furlough to a defendant so  
24 that the defendant may:

25 (1) obtain a medical diagnosis or medical treatment;  
26 (2) obtain treatment and supervision at a facility  
27 operated by the Health and Human Services Commission;

1           (3) attend a funeral or visit a critically ill  
2 relative; or

3           (4) participate in a programmatic activity sanctioned  
4 by the department [~~state jail division~~].

5           (b) The department [~~state jail division~~] shall adopt  
6 policies for the administration of the furlough program.

7           (c) A defendant furloughed under this section is considered  
8 to be in the custody of the department [~~state jail division~~], even  
9 if the defendant is not under physical guard while furloughed.

10          SECTION 74. Section 507.033, Government Code, is amended to  
11 read as follows:

12          Sec. 507.033. REHABILITATION PROGRAMS. (a) The department  
13 [~~state jail division~~] may allow a state jail defendant who is  
14 capable of serving as a tutor to tutor functionally illiterate  
15 defendants and shall actively encourage volunteer organizations to  
16 aid in the tutoring of defendants. A person who acts as a tutor may  
17 function only as a teacher and advisor to a defendant and may not  
18 exercise supervisory authority or control over the defendant.

19          (b) The department [~~state jail division~~] shall actively  
20 encourage volunteer organizations to provide the following  
21 programs for defendants who are housed in state jail felony  
22 facilities operated by or under contract with the department  
23 [~~division~~]:

24               (1) literacy and education programs;

25               (2) life skills programs;

26               (3) job skills programs;

27               (4) parent-training programs;

1           (5) drug and alcohol rehabilitation programs;  
2           (6) support group programs;  
3           (7) arts and crafts programs; and  
4           (8) other programs determined by the department  
5 ~~[division]~~ to aid defendants confined in state jail felony  
6 facilities in the transition from confinement or supervision back  
7 into society and to reduce incidents of recidivism among  
8 defendants.

9           SECTION 75. Sections 508.001(3), (4), (5), and (6),  
10 Government Code, are amended to read as follows:

11           (3) "Director" means the director of the parole  
12 ~~[pardons and paroles]~~ division.

13           (4) "Division" means the parole ~~[pardons and paroles]~~  
14 division.

15           (5) "Mandatory supervision" means the release of an  
16 eligible inmate sentenced to the institutional division so that the  
17 inmate may serve the remainder of the inmate's sentence not on  
18 parole but under the supervision of the parole ~~[pardons and~~  
19 ~~paroles]~~ division.

20           (6) "Parole" means the discretionary and conditional  
21 release of an eligible inmate sentenced to the institutional  
22 division so that the inmate may serve the remainder of the inmate's  
23 sentence under the supervision of the parole ~~[pardons and paroles]~~  
24 division.

25           SECTION 76. Section 508.0362, Government Code, is amended  
26 by amending Subsections (a) and (b) and adding Subsection (d) to  
27 read as follows:



1           (a) ~~[(1)]~~ A person who is appointed to and qualifies for  
2 office as a member of the board may not vote, deliberate, or be  
3 counted as a member in attendance at a meeting of the board until  
4 the person completes ~~[at least one course of]~~ a training program  
5 that complies with this section.

6           ~~[(2)]~~ A parole commissioner employed by the board may  
7 not vote or deliberate on a matter described by Section 508.0441  
8 until the person completes ~~[at least one course of]~~ a training  
9 program that complies with this section.

10          (b) The ~~[A]~~ training program must provide the person with  
11 information ~~[to the person]~~ regarding:

12               (1) the law governing board operations ~~[enabling~~  
13 ~~legislation that created the board]~~;

14               (2) the programs, functions, rules, and budget of  
15 ~~[operated by]~~ the board;

16               (3) the scope of and limitations on the rulemaking  
17 authority ~~[role and functions]~~ of the board ~~[and parole~~  
18 ~~commissioners]~~;

19               (4) ~~[the rules of the board,~~

20               ~~[(5)] the current budget for the board,~~

21               ~~[(6)]~~ the results of the most recent formal audit of  
22 the board;

23               (5) [(7)] the requirements of ~~[the]~~:

24                       (A) laws relating to open meetings, public  
25 information, administrative procedure, and disclosing conflicts of  
26 interest ~~[law, Chapter 551]~~; and

27                       (B) other laws applicable to members of a state

policy-making body in performing their duties [~~open records law,~~  
Chapter ~~552,~~ and

~~[(C) administrative procedure law, Chapter 2001,~~  
~~[(8) the requirements of the conflict of interest laws~~  
~~and other laws relating to public officials]; and~~

(6) ~~[(9)]~~ any applicable ethics policies adopted by  
the board or the Texas Ethics Commission.

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

SECTION 77. Subchapter ~~B,~~ Chapter ~~508,~~ Government Code, is  
amended by adding Sections 508.0421 and 508.0455 to read as  
follows:

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

(1) background information on medically recommended  
intensive supervision; and

(2) training and education regarding:

(A) statutory requirements and board rules for

1 the consideration and release of inmates on medically recommended  
2 intensive supervision;

3 (B) the supervision of persons released on  
4 medically recommended intensive supervision, including information  
5 on:

6 (i) the imposition of graduated sanctions  
7 on a releasee for a violation of a condition of release; and

8 (ii) the imposition and modification of  
9 special conditions on a releasee; and

10 (C) how to read and review a written report  
11 described by Section 508.146(h)(2).

12 (b) In developing the training program, the board shall:

13 (1) use available data on medically recommended  
14 intensive supervision; and

15 (2) consult with the department and a practicing  
16 physician and psychiatrist as needed.

17 (c) The board shall develop a condensed version of the  
18 training program that includes only the training and education  
19 described by Subsection (a)(2).

20 (d) A member of a parole panel described by Section  
21 508.146(e) may not participate in a vote of the panel related to the  
22 release of an inmate on medically recommended intensive supervision  
23 until the member completes the training program described by  
24 Subsection (a). Each member must complete the version of the  
25 training program described by Subsection (c) biennially after  
26 completing the initial training to remain eligible to participate  
27 in a vote of the panel related to the release of an inmate on

1 medically recommended intensive supervision. The board shall  
2 inform each member of any subsequent changes to the training  
3 developed under Subsection (a) that are made after the member  
4 completes the training required by this subsection.

5 Sec. 508.0455. PAROLE PANEL DATA. (a) The board shall  
6 coordinate with the department to collect and analyze data on the  
7 release of inmates on parole, mandatory supervision, or medically  
8 recommended intensive supervision and the use of special conditions  
9 and graduated sanctions to evaluate outcomes and trends.

10 (b) Using the data collected under Subsection (a), the board  
11 shall determine a method for evaluating the consistency of  
12 revocation decisions across all three-voter parole panels.

13 (c) The board shall use its findings from the data collected  
14 under this section in developing the training required under  
15 Sections 508.041 and 508.042.

16 SECTION 78. Section 508.054(c), Government Code, is amended  
17 to read as follows:

18 (c) The board shall periodically notify the complaint  
19 parties of the status of the complaint until final disposition  
20 unless the notice would jeopardize an ongoing investigation.

21 SECTION 79. The heading to Subchapter D, Chapter 508,  
22 Government Code, is amended to read as follows:

23 SUBCHAPTER D. PAROLE [~~PARDONS AND PAROLES~~] DIVISION

24 SECTION 80. Section 508.113, Government Code, is amended by  
25 adding Subsection (e) to read as follows:

26 (e) The division may establish a waiver procedure for when  
27 the director is unable to appoint persons meeting the

1 qualifications established under Subsection (c).

2 SECTION 81. Section 508.1131, Government Code, is amended  
3 by amending Subsection (a) and adding Subsection (a-1) to read as  
4 follows:

5 (a) The Texas Board of Criminal Justice by rule ~~[executive~~  
6 ~~director]~~ shall adopt a salary career ladder for parole officers.  
7 In adopting the salary career ladder, the Texas Board of Criminal  
8 Justice shall, in consultation with relevant stakeholders, review  
9 the current salary structure and align the salary career ladder  
10 with the future needs of the department.

11 (a-1) The Texas Board of Criminal Justice may revise the  
12 [The] salary career ladder as needed ~~[must base a parole officer's~~  
13 ~~salary on the officer's classification and years of service with~~  
14 ~~the department].~~

15 SECTION 82. Section 508.1142, Government Code, is amended  
16 to read as follows:

17 Sec. 508.1142. PAROLE OFFICER MAXIMUM CASELOADS. (a) The  
18 Texas Board of Criminal Justice by rule ~~[department]~~ shall  
19 establish ~~[adopt a policy that establishes]~~ guidelines for a  
20 maximum caseload for a ~~[each]~~ parole officer ~~[of:~~

21 ~~[(1) 60 active releasees, if the releasees are not in a~~  
22 ~~specialized program described by Subdivisions (2)-(6),~~

23 ~~[(2) 35 active releasees, if the releasees are in the~~  
24 ~~special needs offender program,~~

25 ~~[(3) 35 active releasees, if the releasees are in the~~  
26 ~~therapeutic community substance abuse aftercare treatment program,~~

27 ~~[(4) 24 active releasees, if the releasees are in the~~

~~sex offender program;~~

~~[(5) 20 active releasees, if the releasees are electronically monitored; and~~

~~[(6) 11 active releasees, if the releasees are in the super-intensive supervision program].~~

(b) The Texas Board of Criminal Justice:

(1) shall periodically review the guidelines established under Subsection (a) to ensure that the guidelines are achievable and informed by research-supported supervision practices; and

(2) may revise the guidelines as needed.

(c) The department shall conduct a job task analysis and workload study with respect to parole officers before the Texas Board of Criminal Justice adopts or amends the guidelines under this section ~~[If the department is unable to meet the maximum caseload guidelines, the department shall submit a report to the Legislative Budget Board, at the end of each fiscal year in which the department fails to meet the guidelines, stating the amount of money needed by the department to meet the guidelines].~~

SECTION 83. Subchapter **D**, Chapter **508**, Government Code, is amended by adding Section 508.1143 to read as follows:

Sec. 508.1143. REPORT ON PAROLE SUPERVISION APPROACHES AND MAXIMUM CASELOADS. (a) Not later than December 1, 2026, the department, in consultation with relevant stakeholders, shall:

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

(2) submit a report on proposed parole supervision

1 practices and caseload approaches, including proposed maximum  
2 caseloads for parole officers, to the Texas Board of Criminal  
3 Justice, the board, the governor, the lieutenant governor, the  
4 speaker of the house of representatives, and each standing  
5 committee of the legislature with primary jurisdiction over the  
6 department.

7 (b) The report must include:

8 (1) an evaluation of the department's practice of  
9 assigning parole supervision caseloads where staffing vacancies  
10 exist to ensure appropriate supervision of all caseloads by a  
11 parole officer; and

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

15 (c) A pilot project assessing supervision practices and  
16 caseload approach changes described by Subsection (b)(2) may not be  
17 implemented statewide before submission of the report required by  
18 Subsection (a)(2).

19 (d) This section expires September 1, 2027.

20 SECTION 84. Section 508.117(e), Government Code, is amended  
21 to read as follows:

22 (e) Before an inmate is released from the institutional  
23 division on parole or to mandatory supervision, the parole [~~pardons~~  
24 ~~and paroles~~] division shall give notice of the release to a person  
25 entitled to notification of parole consideration for the inmate  
26 under Subsection (a) or (b).

27 SECTION 85. Section 508.146, Government Code, is amended by

amending Subsections (a), (b), (d), (e), and (f) and adding Subsections (a-1), (g), (h), (i), and (j) to read as follows:

(a) Subject to Subsection (b), an [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, may 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, Code of Criminal Procedure, may only be considered if a medical condition of terminal illness or long-term care has been diagnosed by a physician,]~~ if:

(1) the Texas Correctional Office on Offenders with Medical or Mental Impairments, in cooperation with the Correctional Managed Health Care Committee, identifies the inmate as ~~[being]~~:

(A) being [a person who is] elderly, regardless of whether the inmate has a condition described in Paragraphs (B)-(H);

(B) being [or] terminally ill;

(C) having[ ] a [person with] mental illness;

(D) having[ ] an intellectual disability[ ] or a physical disability;

(E) having[ , or 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, Code of Criminal Procedure]; [or]



1                    (F) being [~~(B)~~] in a persistent vegetative state;  
2                    (G) having [~~or being a person with~~] an organic  
3 brain syndrome with significant to total mobility impairment; or  
4                    (H) having another eligible medical condition as  
5 prescribed by board rule [~~, if the inmate is an inmate who has a~~  
6 ~~reportable conviction or adjudication under Chapter 62, Code of~~  
7 ~~Criminal Procedure~~];

8                    (2) the parole panel determines that, based on the  
9 inmate's condition and a medical evaluation, the inmate does not  
10 constitute a threat to public safety; and

11                    (3) the inmate's medically recommended intensive  
12 supervision plan under Subsection (a-1) is approved by the Texas  
13 Correctional Office on Offenders with Medical or Mental  
14 Impairments.

15                    (a-1) The [~~the~~] Texas Correctional Office on Offenders with  
16 Medical or Mental Impairments, in cooperation with the [~~pardons and~~  
17 ~~paroles~~] division, shall prepare [~~has prepared~~] for an [~~the~~] inmate  
18 who is approved for release under Subsection (a) a medically  
19 recommended intensive supervision plan that requires the inmate to  
20 submit to electronic monitoring, places the inmate on  
21 super-intensive supervision, or otherwise ensures appropriate  
22 supervision of the inmate.

23                    (b) In addition to the requirements of Subsection (a), the  
24 following inmates may be released on medically recommended  
25 intensive supervision under that subsection only if the inmates are  
26 identified under Subsection (a)(1) as:

27                    (1) having a condition described by Subsection

1 (a)(1)(B) or (E), if the inmate has an instant offense that is  
 2 described in Article 42A.054, Code of Criminal Procedure; or  
 3 (2) being in or having a condition described by  
 4 Subsection (a)(1)(F) or (G), if the inmate has a reportable  
 5 conviction or adjudication under Chapter 62, Code of Criminal  
 6 Procedure [~~An inmate may be released on medically recommended~~  
 7 ~~intensive supervision only if the inmate's medically recommended~~  
 8 ~~intensive supervision plan under Subsection (a)(3) is approved by~~  
 9 ~~the Texas Correctional Office on Offenders with Medical or Mental~~  
 10 ~~Impairments]~~.

11 (d) The Texas Correctional Office on Offenders with Medical  
 12 or Mental Impairments may [~~and the Texas Department of Human~~  
 13 ~~Services shall jointly]~~ request proposals from public or private  
 14 vendors to provide under contract services for inmates released on  
 15 medically recommended intensive supervision. A request for  
 16 proposals under this subsection may require that the services be  
 17 provided in a medical care facility located in an urban area. For  
 18 the purposes of this subsection, "urban area" means the area in this  
 19 state within a metropolitan statistical area, according to the  
 20 standards of the United States Bureau of the Census.

21 (e) Parole [~~Only parole~~] panels composed of board members  
 22 and parole commissioners [~~the presiding officer of the board and~~  
 23 ~~two members~~] appointed to the panel by the presiding officer may  
 24 make determinations regarding the release of inmates on medically  
 25 recommended intensive supervision under Subsection (a) or of  
 26 inmates released pending deportation under Subsection (f). If the  
 27 Texas Correctional Office [~~Council~~] on Offenders with Medical or

1 Mental Impairments identifies an inmate as a candidate for release  
2 under the guidelines established by Subsection (a)(1), (b), or  
3 (f)(1), as applicable, the office [~~council~~] shall present to a  
4 parole panel described by this subsection relevant information  
5 concerning the inmate and the inmate's potential for release under  
6 this section.

7 (f) An inmate who is not a citizen of the United States, as  
8 defined by federal law, who is not under a sentence of death or life  
9 without parole, and who does not have a reportable conviction or  
10 adjudication under Chapter 62, Code of Criminal Procedure, or an  
11 instant offense described in Article 42A.054, Code of Criminal  
12 Procedure, may be released to immigration authorities pending  
13 deportation on a date designated by a parole panel described by  
14 Subsection (e) if:

15 (1) the Texas Correctional Office on Offenders with  
16 Medical or Mental Impairments, in cooperation with the Correctional  
17 Managed Health Care Committee, identifies the inmate as being in or  
18 having a condition described by Subsection (a)(1); and

19 (2) the parole panel determines that on release the  
20 inmate would be deported to another country and that the inmate does  
21 not constitute a threat to public safety in the other country or  
22 this country and is unlikely to reenter this country illegally.

23 (g) The board shall adopt rules to administer this section.  
24 The rules must:

25 (1) specify the procedures for evaluating the  
26 prognosis of inmates who are eligible for medically recommended  
27 intensive supervision under Subsection (a) because of a qualifying

1 medical condition;

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

5 (3) define what constitutes a threat to public safety  
6 for purposes of Subsections (a)(2) and (f) and specify the factors  
7 that a parole panel described by Subsection (e) must consider when  
8 determining whether an inmate constitutes a threat to public  
9 safety.

10 (h) The procedures described by Subsection (g)(1) must:

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

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

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

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

23 (C) contains other information as required by the  
24 board.

25 (i) The board may consult with other relevant entities for  
26 purposes of establishing information required in the report under  
27 Subsection (h)(2)(C) including:

1           (1) the Correctional Managed Health Care Committee;  
2           (2) the division;  
3           (3) the Texas Correctional Office on Offenders with  
4 Medical or Mental Impairments;  
5           (4) the Texas Tech University Health Sciences Center;  
6 and  
7           (5) The University of Texas Medical Branch at  
8 Galveston.

9           (j) Information regarding the identity of a health care  
10 practitioner providing a report described by Subsection (h)(2),  
11 other than information relating to the practitioner's  
12 specialization, is excepted from required disclosure under Chapter  
13 552. The board may release the information or redact or otherwise  
14 withhold the information from disclosure under Chapter 552.

15           SECTION 86. Section 508.152, Government Code, is amended by  
16 adding Subsection (b-3) to read as follows:

17           (b-3) For purposes of Subsection (b-1)(1), an inmate's  
18 individual treatment plan must include a comprehensive list, in  
19 plain language, of the inmate's program participation that:

20           (1) includes:  
21                   (A) state-funded programs;  
22                   (B) intensive volunteer programs; and  
23                   (C) program enrollment and completion dates; and  
24           (2) distinguishes between evidence-based programs and  
25 correctional elective programs and activities that are  
26 non-evidence based or non-evidence informed.

27           SECTION 87. Subchapter E, Chapter 508, Government Code, is

amended by adding Sections 508.1521 and 508.158 to read as follows:

Sec. 508.1521. REQUIRED INDIVIDUAL TREATMENT PLAN PROGRAMS AND PAROLE-VOTED PROGRAMS. (a) In this section:

(1) "Parole-voted program" means a program or class that the board intends to require an inmate to complete before releasing the inmate on parole or to mandatory supervision.

(2) "Required individual treatment plan program" means a program or class that is required to be included in an inmate's individual treatment plan under Section 508.152 other than a parole-voted program required under Section 508.152(c).

(b) The department, the board, and the Windham School District shall:

(1) develop evidence-based program criteria specific to required individual treatment plan programs and parole-voted programs to be used in evaluating and assessing those programs;

(2) develop and maintain a required individual treatment plan programs list and a parole-voted programs list, provided that a non-evidence-based or non-evidence-informed program may not be included on either list;

(3) develop procedures for:

(A) evaluating programs to be added to the required individual treatment plan programs list or the parole-voted programs list;

(B) assessing current required individual treatment plan programs and parole-voted programs; and

(C) removing programs that do not meet the criteria developed under Subdivision (1) from the lists of required

1 individual treatment plan programs and parole-voted programs; and

2 (4) coordinate on required individual treatment plan  
3 and parole-voted programming options through regular meetings.

4 (c) In developing and maintaining the required individual  
5 treatment plan programs list, the department and the Windham School  
6 District have joint authority to decide which programs are included  
7 on the required individual treatment plan programs list.

8 (d) In developing and maintaining the parole-voted programs  
9 list, the department and the Windham School District shall present  
10 programming options and program evaluation results to the board,  
11 provided that the board has the sole authority to decide which  
12 programs are included on the parole-voted programs list.

13 (e) The department shall:

14 (1) collect and analyze parole-voted program data on a  
15 rolling basis, including:

16 (A) the number of inmates waiting for placement  
17 into a program;

18 (B) the waitlist times for placement into a  
19 program;

20 (C) the reasons for program placement delays,  
21 other than delays due to a program start date specified by the  
22 board;

23 (D) vote revision requests related to program  
24 ineligibility, placement delays, and other factors that may affect  
25 parole release timelines; and

26 (E) the number of inmates unable to complete  
27 parole-voted programs before the earliest date on which the inmates

1 would have been eligible to be released following program  
2 completion;

3 (2) use the data described by Subdivision (1) to:

4 (A) calculate parole-voted program waitlist  
5 times;

6 (B) track and reduce parole-voted program  
7 enrollment timelines; and

8 (C) work to eliminate parole-voted program  
9 placement delays; and

10 (3) include the data and analysis described by  
11 Subdivision (1) in the strategic plan required under Section  
12 501.104.

13 (f) The department shall prioritize the placement of  
14 inmates into parole-voted programs, ensure parole-voted program  
15 capacity meets programming needs, and expand parole-voted program  
16 access in accordance with the strategic plan required under Section  
17 501.104.

18 Sec. 508.158. SPECIAL CONDITIONS WORK GROUP. (a) The board  
19 and department shall jointly establish a work group consisting of  
20 board members and parole commissioners who actively serve on a  
21 parole panel and staff representatives from the division to assess  
22 the impact and effectiveness of special conditions.

23 (b) The work group shall:

24 (1) discuss the efficacy of special conditions;

25 (2) assess the continuing need for the use of specific  
26 special conditions; and

27 (3) identify potential modifications to special



1 conditions for the board to consider adopting.

2 (c) In discussing the efficacy of special conditions under  
3 Subsection (b), the work group shall solicit input from parole  
4 officers and other relevant parties.

5 (d) The work group shall meet annually.

6 SECTION 88. Subchapter F, Chapter 508, Government Code, is  
7 amended by adding Section 508.1831 to read as follows:

8 Sec. 508.1831. POSTSECONDARY EDUCATION REIMBURSEMENT  
9 PROGRAM. (a) In this section, "program" means the program  
10 established under this section.

11 (b) From money appropriated to the department for the  
12 purpose, the department shall establish and administer a  
13 postsecondary education reimbursement program to provide for the  
14 payment of postsecondary education tuition and fees for enrollment  
15 in courses by eligible inmates.

16 (c) An inmate participating in the program and enrolled in  
17 postsecondary education courses during confinement shall reimburse  
18 the department for the costs of the tuition and fees paid on the  
19 inmate's behalf.

20 (d) The department may not charge interest for the repayment  
21 of costs under this section.

22 (e) A parole panel may require as a condition of parole or  
23 mandatory supervision that a releasee who had the costs of tuition  
24 and fees paid through the program reimburse the department for  
25 those costs.

26 SECTION 89. Section 508.324, Government Code, is amended to  
27 read as follows:

1       Sec. 508.324. VICTIM-OFFENDER MEDIATION. If the [~~pardons~~  
2 ~~and paroles~~] division receives notice from the victim services  
3 office of the department that a victim of the defendant, or the  
4 victim's guardian or close relative, wishes to participate in  
5 victim-offender mediation with a person released on parole or to  
6 mandatory supervision, the division shall cooperate and assist the  
7 person if the person chooses to participate in the mediation  
8 program provided by the office. The [~~pardons and paroles~~] division  
9 may not require the defendant to participate and may not reward the  
10 person for participation by modifying conditions of release or the  
11 person's level of supervision or by granting any other benefit to  
12 the person.

13       SECTION 90. Section 509.004(b), Government Code, is amended  
14 to read as follows:

15       (b) The division shall develop an automated tracking system  
16 that:

17               (1) is capable of receiving tracking data from  
18 community supervision and corrections departments' caseload  
19 management and accounting systems;

20               (2) is capable of tracking the defendant and the  
21 sentencing event at which the defendant was placed on community  
22 supervision by name, arrest charge code, and incident number;

23               (3) provides the division with the statistical data it  
24 needs to support budget requests and satisfy requests for  
25 information; and

26               (4) is compatible with the requirements of Chapter 66,  
27 Code of Criminal Procedure, and the information systems used by the

1 institutional division and the parole [~~pardons and paroles~~]  
2 division of the Texas Department of Criminal Justice.

3 SECTION 91. Section 509.005, Government Code, is amended to  
4 read as follows:

5 Sec. 509.005. INSPECTIONS; AUDITS; EVALUATIONS. The  
6 community justice assistance division shall from time to time  
7 inspect and evaluate and the office of the independent auditor  
8 [~~internal audit division~~] may at any reasonable time conduct an  
9 audit of the financial, program compliance, or performance records  
10 of a department to determine:

- 11 (1) compliance with the division's rules and  
12 standards;
- 13 (2) economical and efficient use of resources;
- 14 (3) accomplishment of goals and objectives;
- 15 (4) reliability and integrity of information; and
- 16 (5) safeguarding of assets.

17 SECTION 92. Section 511.017, Government Code, is amended to  
18 read as follows:

19 Sec. 511.017. DUTIES RELATED TO STATE JAIL FELONY  
20 FACILITIES. (a) In this section, "state [+

21 [~~(1) "State jail division" means the state jail~~  
22 ~~division of the Texas Department of Criminal Justice.~~

23 [~~(2) "State~~] jail felony facility" means a state jail  
24 felony facility authorized by Subchapter A, Chapter 507.

25 (b) The commission shall provide the Texas Department of  
26 Criminal Justice [~~state jail division~~] with consultation and  
27 technical assistance relating to the operation and construction of

1 state jail felony facilities.

2 SECTION 93. Section 659.015(k), Government Code, is amended  
3 to read as follows:

4 (k) Compensatory time off to which an employee of the Texas  
5 Department of Criminal Justice is entitled under Subsection (f):

6 (1) must be taken during the 24-month period following  
7 the end of the workweek in which the compensatory time was accrued;  
8 and

9 (2) if not taken during the period described by  
10 Subdivision (1), shall be credited to the employee's accumulated  
11 vacation leave for purposes of Chapter 661 [or it lapses].

12 SECTION 94. Section 661.152(b), Government Code, is amended  
13 to read as follows:

14 (b) The amount of vacation accrues in accordance with this  
15 subchapter and Section 659.015(k) and may be taken in accordance  
16 with this subchapter.

17 SECTION 95. Section 811.001(8), Government Code, is amended  
18 to read as follows:

19 (8) "Custodial officer" means a member of the  
20 retirement system who is employed by the Board of Pardons and  
21 Paroles or the Texas Department of Criminal Justice as a parole  
22 officer or caseworker or who is employed by ~~[the correctional~~  
23 ~~institutions division of]~~ the Texas Department of Criminal Justice  
24 and certified by the department as having a normal job assignment  
25 that requires frequent or infrequent regularly planned contact  
26 with, and in close proximity to, inmates or defendants of the  
27 department ~~[correctional institutions division]~~ without the

1 protection of bars, doors, security screens, or similar devices and  
2 includes assignments normally involving supervision or the  
3 potential for supervision of inmates in inmate housing areas,  
4 educational or recreational facilities, industrial shops,  
5 kitchens, laundries, medical areas, agricultural shops or fields,  
6 or in other areas on or away from property of the department. The  
7 term includes a member who transfers from the Texas Department of  
8 Criminal Justice to the managed health care unit of The University  
9 of Texas Medical Branch or the Texas Tech University Health  
10 Sciences Center pursuant to Section 9.01, Chapter 238, Acts of the  
11 73rd Legislature, Regular Session, 1993, elects at the time of  
12 transfer to retain membership in the retirement system, and is  
13 certified by the managed health care unit or the health sciences  
14 center as having a normal job assignment described by this  
15 subdivision.

16 SECTION 96. Sections 614.002(a) and (e), Health and Safety  
17 Code, are amended to read as follows:

18 (a) The Advisory Committee to the Texas Board of Criminal  
19 Justice on Offenders with Medical or Mental Impairments is composed  
20 of 27 [~~28~~] members.

21 (e) The executive head of each of the following agencies,  
22 divisions of agencies, or associations, or that person's designated  
23 representative, shall serve as a member of the committee:

24 (1) the correctional institutions division of the  
25 Texas Department of Criminal Justice;

26 (2) the Department of State Health Services;

27 (3) the parole division of the Texas Department of

1 Criminal Justice;

2 (4) the community justice assistance division of the  
3 Texas Department of Criminal Justice;

4 (5) the Texas Juvenile Justice Department;

5 (6) the Texas Workforce Commission [~~Department of~~  
6 ~~Assistive and Rehabilitative Services~~];

7 (7) the Correctional Managed Health Care Committee;

8 (8) Mental Health America of Texas;

9 (9) the Board of Pardons and Paroles;

10 (10) the Texas Commission on Law Enforcement;

11 (11) the Texas Council of Community Centers;

12 (12) the Commission on Jail Standards;

13 (13) the Texas Council for Developmental  
14 Disabilities;

15 (14) the Arc of Texas;

16 (15) the National Alliance on Mental Illness of Texas;

17 (16) the Texas Veterans Commission [~~Parent~~  
18 ~~Association for the Retarded of Texas, Inc.~~]; and

19 (17) the Health and Human Services Commission[, ~~and~~

20 [~~(18) the Department of Aging and Disability~~  
21 ~~Services~~].

22 SECTION 97. Section 614.009, Health and Safety Code, is  
23 amended to read as follows:

24 Sec. 614.009. BIENNIAL REPORT. Not later than December  
25 [~~February~~] 1 of each even-numbered [~~odd-numbered~~] year, the office  
26 shall present to the board and file with the governor, lieutenant  
27 governor, and speaker of the house of representatives a report

1 giving the details of the office's activities during the preceding  
2 biennium. The report must include:

3 (1) an evaluation of any demonstration project  
4 undertaken by the office;

5 (2) an evaluation of the progress made by the office  
6 toward developing a plan for meeting the treatment, rehabilitative,  
7 and educational needs of offenders with special needs;

8 (3) information on the provision of services under  
9 Section 614.021 to wrongfully imprisoned persons;

10 (4) recommendations of the office made in accordance  
11 with Section 614.007(5);

12 (5) [~~(4)~~] an evaluation of the development and  
13 implementation of the continuity of care and service programs  
14 established under Sections 614.013, 614.014, 614.015, 614.016, and  
15 614.018, changes in rules, policies, or procedures relating to the  
16 programs, future plans for the programs, and any recommendations  
17 for legislation; and

18 (6) [~~(5)~~] any other recommendations that the office  
19 considers appropriate.

20 SECTION 98. Section 614.013(b), Health and Safety Code, is  
21 amended to read as follows:

22 (b) The memorandum of understanding must establish methods  
23 for:

24 (1) identifying offenders with mental impairments in  
25 the criminal justice system and collecting and reporting prevalence  
26 rate data to the office;

27 (2) developing interagency rules, policies,

1 procedures, and standards for the coordination of care of and the  
2 exchange of information on offenders with mental impairments by  
3 local and state criminal justice agencies, the Department of State  
4 Health Services and the Health and Human Services Commission  
5 [~~Department of Aging and Disability Services~~], local mental health  
6 or intellectual and developmental disability authorities, the  
7 Commission on Jail Standards, and local jails;

8 (3) identifying the services needed by offenders with  
9 mental impairments to reenter the community successfully; and

10 (4) establishing a process to report implementation  
11 activities to the office.

12 SECTION 99. Section 614.014, Health and Safety Code, is  
13 amended to read as follows:

14 Sec. 614.014. CONTINUITY OF CARE FOR ELDERLY OFFENDERS.

15 (a) The Texas Department of Criminal Justice, the Texas Workforce  
16 Commission, and the executive commissioner by rule shall adopt a  
17 memorandum of understanding that establishes the respective  
18 responsibilities of the Texas Department of Criminal Justice, the  
19 Department of State Health Services, the Health and Human Services  
20 Commission [~~Department of Aging and Disability Services~~], and the  
21 Texas Workforce Commission [~~Department of Assistive and~~  
22 ~~Rehabilitative Services~~] to institute a continuity of care and  
23 service program for elderly offenders in the criminal justice  
24 system. The office shall coordinate and monitor the development  
25 and implementation of the memorandum of understanding.

26 (b) The memorandum of understanding must establish methods  
27 for:



1           (1) identifying elderly offenders in the criminal  
2 justice system;

3           (2) developing interagency rules, policies, and  
4 procedures for the coordination of care of and the exchange of  
5 information on elderly offenders by local and state criminal  
6 justice agencies, the Department of State Health Services, the  
7 Health and Human Services Commission [~~Department of Aging and~~  
8 ~~Disability Services~~], and the Texas Workforce Commission  
9 [~~Department of Assistive and Rehabilitative Services~~]; and

10          (3) identifying the services needed by elderly  
11 offenders to reenter the community successfully.

12          (c) The Texas Department of Criminal Justice, the  
13 Department of State Health Services, the Health and Human Services  
14 Commission [~~Department of Aging and Disability Services~~], and the  
15 Texas Workforce Commission [~~Department of Assistive and~~  
16 ~~Rehabilitative Services~~] shall:

17           (1) operate the continuity of care and service program  
18 for elderly offenders in the criminal justice system with funds  
19 appropriated for that purpose; and

20           (2) actively seek federal grants or funds to operate  
21 and expand the program.

22          SECTION 100. Section [614.015](#), Health and Safety Code, is  
23 amended to read as follows:

24          Sec. 614.015. CONTINUITY OF CARE FOR OFFENDERS WITH  
25 PHYSICAL DISABILITIES, TERMINAL ILLNESSES, OR SIGNIFICANT  
26 ILLNESSES. (a) The Texas Department of Criminal Justice, the Texas  
27 Workforce Commission, and the executive commissioner by rule shall

1 adopt a memorandum of understanding that establishes the respective  
2 responsibilities of the Texas Department of Criminal Justice, the  
3 Texas Workforce Commission [~~Department of Assistive and~~  
4 ~~Rehabilitative Services~~], the Department of State Health Services,  
5 and the Health and Human Services Commission [~~Department of Aging~~  
6 ~~and Disability Services~~] to institute a continuity of care and  
7 service program for offenders in the criminal justice system who  
8 are persons with physical disabilities, terminal illnesses, or  
9 significant illnesses. The council shall coordinate and monitor  
10 the development and implementation of the memorandum of  
11 understanding.

12 (b) The memorandum of understanding must establish methods  
13 for:

14 (1) identifying offenders in the criminal justice  
15 system who are persons with physical disabilities, terminal  
16 illnesses, or significant illnesses;

17 (2) developing interagency rules, policies, and  
18 procedures for the coordination of care of and the exchange of  
19 information on offenders who are persons with physical  
20 disabilities, terminal illnesses, or significant illnesses by  
21 local and state criminal justice agencies, the Texas Department of  
22 Criminal Justice, the Texas Workforce Commission [~~Department of~~  
23 ~~Assistive and Rehabilitative Services~~], the Department of State  
24 Health Services, and the Health and Human Services Commission  
25 [~~Department of Aging and Disability Services~~]; and

26 (3) identifying the services needed by offenders who  
27 are persons with physical disabilities, terminal illnesses, or

significant illnesses to reenter the community successfully.

(c) The Texas Department of Criminal Justice, the Texas Workforce Commission [~~Department of Assistive and Rehabilitative Services~~], the Department of State Health Services, and the Health and Human Services Commission [~~Department of Aging and Disability Services~~] shall:

(1) operate, with funds appropriated for that purpose, the continuity of care and service program for offenders in the criminal justice system who are persons with physical disabilities, terminal illnesses, or significant illnesses; and

(2) actively seek federal grants or funds to operate and expand the program.

SECTION 101. Section 614.017(c)(1), Health and Safety Code, is amended to read as follows:

(1) "Agency" includes any of the following entities and individuals, a person with an agency relationship with one of the following entities or individuals, and a person who contracts with one or more of the following entities or individuals:

(A) the Texas Department of Criminal Justice and the Correctional Managed Health Care Committee;

(B) the Board of Pardons and Paroles;

(C) the Department of State Health Services;

(D) the Texas Juvenile Justice Department;

(E) the Texas Workforce Commission [~~Department of Assistive and Rehabilitative Services~~];

(F) the Texas Education Agency;

(G) the Commission on Jail Standards;

(H) ~~[the Department of Aging and Disability Services;~~

~~(I)]~~ the Texas School for the Blind and Visually Impaired;

(I) ~~(J)]~~ community supervision and corrections departments and local juvenile probation departments;

(J) ~~(K)]~~ personal bond pretrial release offices established under Article [17.42](#), Code of Criminal Procedure;

(K) ~~(L)]~~ local jails regulated by the Commission on Jail Standards;

(L) ~~(M)]~~ a municipal or county health department;

(M) ~~(N)]~~ a hospital district;

(N) ~~(O)]~~ a judge of this state with jurisdiction over juvenile or criminal cases;

(O) ~~(P)]~~ an attorney who is appointed or retained to represent a special needs offender or a juvenile with a mental impairment;

(P) ~~(Q)]~~ the Health and Human Services Commission;

(Q) ~~(R)]~~ the Department of Information Resources;

(R) ~~(S)]~~ the bureau of identification and records of the Department of Public Safety, for the sole purpose of providing real-time, contemporaneous identification of individuals in the Department of State Health Services client data base; and

(S) ~~(T)]~~ the Department of Family and

Protective Services.

SECTION 102. Sections 614.018(a) and (b), Health and Safety Code, are amended to read as follows:

(a) The Texas Juvenile Justice Department, the Department of Public Safety, the Department of State Health Services, the Health and Human Services Commission [~~Department of Aging and Disability Services~~], the Department of Family and Protective Services, the Texas Education Agency, and local juvenile probation departments shall adopt a memorandum of understanding that establishes their respective responsibilities to institute a continuity of care and service program for juveniles with mental impairments in the juvenile justice system. The Texas Correctional Office on Offenders with Medical and Mental Impairments shall coordinate and monitor the development and implementation of the memorandum of understanding.

(b) The memorandum of understanding must establish methods for:

(1) identifying juveniles with mental impairments in the juvenile justice system and collecting and reporting relevant data to the office;

(2) developing interagency rules, policies, and procedures for the coordination of care of and the exchange of information on juveniles with mental impairments who are committed to or treated, served, or supervised by the Texas Juvenile Justice Department, the Department of Public Safety, the Department of State Health Services, the Department of Family and Protective Services, the Health and Human Services Commission [~~Department of~~

1 ~~Aging and Disability Services~~], the Texas Education Agency, local  
2 juvenile probation departments, local mental health or  
3 intellectual and developmental disability authorities, and  
4 independent school districts; and

5 (3) identifying the services needed by juveniles with  
6 mental impairments in the juvenile justice system.

7 SECTION 103. Section 841.005, Health and Safety Code, is  
8 amended to read as follows:

9 Sec. 841.005. TEXAS BOARD OF CRIMINAL JUSTICE ~~[OFFICE OF~~  
10 ~~STATE COUNSEL FOR OFFENDERS]~~. (a) In this section, "board" means  
11 the Texas Board of Criminal Justice.

12 (b) Except as provided by Subsection (d) ~~[(b)]~~, the board  
13 ~~[Office of State Counsel for Offenders]~~ shall provide  
14 representation for ~~[represent]~~ an indigent person subject to a  
15 civil commitment proceeding under this chapter.

16 (c) In providing representation for indigent persons  
17 described by Subsection (b):

18 (1) the board may employ attorneys, support staff, and  
19 any other personnel required to provide the representation;

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

23 (3) the board shall pay all fees and costs associated  
24 with providing the representation.

25 (d) ~~[(b)]~~ If for any reason the board ~~[Office of State~~  
26 ~~Counsel for Offenders]~~ is unable to provide representation for  
27 ~~[represent]~~ an indigent person described by Subsection (b) ~~[(a)]~~ at

a civil commitment proceeding under this chapter, the court shall appoint other counsel to represent the indigent person.

SECTION 104. Section 306.007(b), Labor Code, is amended to read as follows:

(b) The commission shall adopt a memorandum of understanding with each of the following agencies that establishes the respective responsibilities of the commission and the agencies in providing information described by Subsection (a) to persons formerly sentenced to the custody [~~institutional division or the state jail division~~] of the Texas Department of Criminal Justice, to employers or potential employers of those persons, and to local workforce development boards:

- (1) the Department of State Health Services;
- (2) the Texas Department of Housing and Community Affairs;
- (3) the Texas Veterans Commission; and
- (4) the Health and Human Services Commission.

SECTION 105. The following provisions are repealed:

- (1) Article 66.352(b), Code of Criminal Procedure;
- (2) Section 19.0041(c), Education Code;
- (3) Section 491.001(a)(8), Government Code;
- (4) Section 493.0051, Government Code;
- (5) Section 494.011, Government Code;
- (6) Section 497.111, Government Code;
- (7) Section 499.106, Government Code;
- (8) Section 499.107, Government Code;
- (9) Section 501.062(c), Government Code;

(10) Section 507.003, Government Code;

(11) Section 507.004, Government Code;

(12) Sections 508.1131(b) and (c), Government Code;

and

(13) Section 614.021(c), Health and Safety Code.

SECTION 106. The change in law made by this Act to Section 492.002, Government Code, does not affect the entitlement of a member serving on the Texas Board of Criminal Justice before the effective date of this Act to continue to serve for the remainder of the member's term. As the terms of members expire, the governor shall appoint or reappoint members who have the qualifications required by Section 492.002(a), Government Code, as amended by this Act.

SECTION 107. (a) Sections 492.0031, 501.140, and 508.0362, Government Code, as amended by this Act, apply to a member of the Texas Board of Criminal Justice, the Correctional Managed Health Care Committee, or the Board of Pardons and Paroles, as applicable, appointed before, on, or after the effective date of this Act.

(b) A member of the Texas Board of Criminal Justice, the Correctional Managed Health Care Committee, or the Board of Pardons and Paroles 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 Section 492.0031, 501.140, or 508.0362, Government Code, as applicable. A member described by this subsection may not vote,



1 deliberate, or be counted as a member in attendance at a meeting of  
2 the applicable board or committee held on or after December 1, 2025,  
3 until the member completes the additional training.

4 SECTION 108. (a) Section 508.0362, Government Code, as  
5 amended by this Act, applies to a parole commissioner employed by  
6 the Board of Pardons and Paroles before, on, or after the effective  
7 date of this Act.

8 (b) A parole commissioner who, before the effective date of  
9 this Act, completed the training program required by Section  
10 508.0362, Government Code, as that law existed before the effective  
11 date of this Act, is only required to complete additional training  
12 on the subjects added by this Act to the training program required  
13 by that section. A parole commissioner described by this  
14 subsection may not vote or deliberate on a matter described by  
15 Section 508.0441, Government Code, occurring on or after December  
16 1, 2025, until the member completes the additional training.

17 SECTION 109. Section 659.015(k), Government Code, as  
18 amended by this Act, applies to compensatory time accrued by an  
19 employee of the Texas Department of Criminal Justice before, on, or  
20 after the effective date of this Act.

21 SECTION 110. As soon as practicable after the effective  
22 date of this Act:

23 (1) the Texas Board of Criminal Justice shall adopt  
24 the rules required by Sections 499.101(a), 508.1131, and 508.1142,  
25 Government Code, as amended by this Act; and

26 (2) the Board of Pardons and Paroles shall adopt the  
27 rules required by Section 508.146(g), Government Code, as added by

1 this Act.

2       SECTION 111. (a) Not later than December 1, 2025, the Board  
3 of Pardons and Paroles shall make the training required by Section  
4 508.0421, Government Code, as added by this Act, available to board  
5 members and parole commissioners described by Subsection (a) of  
6 that section.

7       (b) Notwithstanding Section 508.0421(d), Government Code,  
8 as added by this Act, a board member or parole commissioner to whom  
9 that section applies is not required to complete the training  
10 required by that section until December 1, 2025.

11       SECTION 112. Not later than December 1, 2026:

12           (1) the Texas Department of Criminal Justice and the  
13 Windham School District shall develop the strategic plan required  
14 by Section 501.104, Government Code, as added by this Act; and

15           (2) the Texas Department of Criminal Justice shall  
16 revise each inmate's individual treatment plan as necessary to  
17 conform to the requirements of Section 508.152(b-3), Government  
18 Code, as added by this Act.

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

24       SECTION 114. This Act takes effect September 1, 2025.