

By: West

S.B. No. 1848

A BILL TO BE ENTITLED

1 AN ACT

2 relating to the provision of reentry, reintegration, and other
3 services to a wrongfully imprisoned person who is discharged from a
4 correctional facility.

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

6 SECTION 1. Subchapter C, Chapter 501, Government Code, is
7 amended by adding Section 501.091 to read as follows:

8 Sec. 501.091. REENTRY AND REINTEGRATION SERVICES FOR
9 WRONGFULLY IMPRISONED PERSONS. (a) In this section, "wrongfully
10 imprisoned person" means a person who:

13 (2) has:

16 (B) otherwise been granted relief on the
17 basis of actual innocence of the crime for which the person was
18 sentenced.

19 (b) The department shall develop a comprehensive plan to
20 ensure the successful reentry and reintegration of wrongfully
21 imprisoned persons into the community following discharge from the
22 department. The reentry and reintegration plan developed under
23 this section must include:

24 (1) life-skills, job, and vocational training for a

1 wrongfully imprisoned person following discharge, for as long as
2 those services are beneficial to the person;

3 (2) a requirement that the department provide, before
4 a wrongfully imprisoned person is discharged from the department,
5 the person with any documents that are necessary after discharge,
6 including a state identification card; and

7 (3) the provision of financial assistance to aid a
8 wrongfully imprisoned person in the reentry and reintegration
9 process and in covering living expenses following discharge, in an
10 amount not to exceed \$10,000.

11 (c) The amount of financial assistance provided to a
12 wrongfully imprisoned person under Subsection (b)(3) shall be
13 deducted from:

14 (1) the amount of compensation provided to the person
15 under Section 103.052, Civil Practice and Remedies Code; or
16 (2) any damages awarded to the person under Section
17 103.105 of that code.

18 (d) The department may contract with private vendors or
19 other entities to implement the comprehensive reentry and
20 reintegration plan required by this section.

21 SECTION 2. Chapter 614, Health and Safety Code, is amended
22 by adding Section 614.021 to read as follows:

23 Sec. 614.021. SERVICES FOR WRONGFULLY IMPRISONED PERSONS.
24 (a) In this section, "wrongfully imprisoned person" has the
25 meaning assigned by Section 501.091, Government Code.

26 (b) The office shall develop a plan for meeting the
27 long-term treatment and rehabilitative needs of wrongfully

1 imprisoned persons who are discharged from the Texas Department of
2 Criminal Justice. The plan must provide for:

3 (1) medical care and mental health services to be
4 provided to a wrongfully imprisoned person at no cost to the person
5 for the remainder of the person's lifetime;

6 (2) dental services to be provided to the person at no
7 cost to a wrongfully imprisoned person for two years following the
8 date of the person's discharge; and

9 (3) mental health and other health counseling services
10 to be provided to a wrongfully imprisoned person at no cost to the
11 person for three years following the date of the person's
12 discharge.

13 (c) The office shall distribute to state agencies,
14 political subdivisions, private organizations, and other qualified
15 persons money appropriated by the legislature to be used for the
16 development, operation, provision, and evaluation of medical,
17 dental, and counseling services for wrongfully imprisoned persons
18 under this section.

19 SECTION 3. (a) As soon as practicable after the effective
20 date of this Act, the Texas Department of Criminal Justice shall
21 develop a comprehensive plan for the reentry and reintegration of
22 wrongfully imprisoned persons as required by Section 501.091,
23 Government Code, as added by this Act.

24 (b) As soon as practicable after the effective date of this
25 Act, the Texas Correctional Office on Offenders with Medical or
26 Mental Impairments shall develop a plan for meeting the long-term
27 treatment and rehabilitative needs of wrongfully imprisoned

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1 persons as required by Section 614.021, Health and Safety Code, as
2 added by this Act.

3 SECTION 4. This Act takes effect immediately if it receives
4 a vote of two-thirds of all the members elected to each house, as
5 provided by Section 39, Article III, Texas Constitution. If this
6 Act does not receive the vote necessary for immediate effect, this
7 Act takes effect September 1, 2009.