

1-1 By: Farias, Guillen (Senate Sponsor - Menéndez) H.B. No. 875  
1-2 (In the Senate - Received from the House May 4, 2015;  
1-3 May 5, 2015, read first time and referred to Committee on Criminal  
1-4 Justice; May 13, 2015, reported favorably by the following vote:  
1-5 Yeas 7, Nays 0; May 13, 2015, sent to printer.)

1-6 COMMITTEE VOTE

	Yea	Nay	Absent	PNV
1-7				
1-8	X			
1-9	X			
1-10	X			
1-11	X			
1-12	X			
1-13	X			
1-14	X			

1-15 A BILL TO BE ENTITLED  
1-16 AN ACT

1-17 relating to the verification of the veteran status of inmates and  
1-18 prisoners.

1-19 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

1-20 SECTION 1. Section 501.023, Government Code, as added by  
1-21 Chapter 261 (H.B. 634), Acts of the 83rd Legislature, Regular  
1-22 Session, 2013, is amended to read as follows:

1-23 Sec. 501.023. VERIFICATION OF INMATE VETERAN STATUS. (a)  
1-24 The department, during the diagnostic process, shall record  
1-25 information relating to an inmate's military history in the  
1-26 inmate's admission sheet and intake screening form, or any other  
1-27 similar document [In this section, "system" means the Public  
1-28 Assistance Reporting Information System (PARIS) operated by the  
1-29 Administration for Children and Families of the United States  
1-30 Department of Health and Human Services].

1-31 (b) The department shall:

1-32 (1) in consultation with the Texas Veterans  
1-33 Commission, investigate and verify the veteran status of each  
1-34 inmate by using the best available federal data [made available  
1-35 from the system through the Health and Human Services Commission];  
1-36 and

1-37 (2) use the [system] data described by Subdivision (1)  
1-38 to assist inmates who are veterans in applying for federal benefits  
1-39 or compensation for which the inmates may be eligible under a  
1-40 program administered by the United States Department of Veterans  
1-41 Affairs.

1-42 SECTION 2. Section 511.009(a), Government Code, is amended  
1-43 to read as follows:

1-44 (a) The commission shall:

1-45 (1) adopt reasonable rules and procedures  
1-46 establishing minimum standards for the construction, equipment,  
1-47 maintenance, and operation of county jails;

1-48 (2) adopt reasonable rules and procedures  
1-49 establishing minimum standards for the custody, care, and treatment  
1-50 of prisoners;

1-51 (3) adopt reasonable rules establishing minimum  
1-52 standards for the number of jail supervisory personnel and for  
1-53 programs and services to meet the needs of prisoners;

1-54 (4) adopt reasonable rules and procedures  
1-55 establishing minimum requirements for programs of rehabilitation,  
1-56 education, and recreation in county jails;

1-57 (5) revise, amend, or change rules and procedures if  
1-58 necessary;

1-59 (6) provide to local government officials  
1-60 consultation on and technical assistance for county jails;

1-61 (7) review and comment on plans for the construction

2-1 and major modification or renovation of county jails;

2-2 (8) require that the sheriff and commissioners of each

2-3 county submit to the commission, on a form prescribed by the

2-4 commission, an annual report on the conditions in each county jail

2-5 within their jurisdiction, including all information necessary to

2-6 determine compliance with state law, commission orders, and the

2-7 rules adopted under this chapter;

2-8 (9) review the reports submitted under Subdivision (8)

2-9 and require commission employees to inspect county jails regularly

2-10 to ensure compliance with state law, commission orders, and rules

2-11 and procedures adopted under this chapter;

2-12 (10) adopt a classification system to assist sheriffs

2-13 and judges in determining which defendants are low-risk and

2-14 consequently suitable participants in a county jail work release

2-15 program under Article 42.034, Code of Criminal Procedure;

2-16 (11) adopt rules relating to requirements for

2-17 segregation of classes of inmates and to capacities for county

2-18 jails;

2-19 (12) require that the chief jailer of each municipal

2-20 lockup submit to the commission, on a form prescribed by the

2-21 commission, an annual report of persons under 17 years of age

2-22 securely detained in the lockup, including all information

2-23 necessary to determine compliance with state law concerning secure

2-24 confinement of children in municipal lockups;

2-25 (13) at least annually determine whether each county

2-26 jail is in compliance with the rules and procedures adopted under

2-27 this chapter;

2-28 (14) require that the sheriff and commissioners court

2-29 of each county submit to the commission, on a form prescribed by the

2-30 commission, an annual report of persons under 17 years of age

2-31 securely detained in the county jail, including all information

2-32 necessary to determine compliance with state law concerning secure

2-33 confinement of children in county jails;

2-34 (15) schedule announced and unannounced inspections

2-35 of jails under the commission's jurisdiction using the risk

2-36 assessment plan established under Section 511.0085 to guide the

2-37 inspections process;

2-38 (16) adopt a policy for gathering and distributing to

2-39 jails under the commission's jurisdiction information regarding:

2-40 (A) common issues concerning jail

2-41 administration;

2-42 (B) examples of successful strategies for

2-43 maintaining compliance with state law and the rules, standards, and

2-44 procedures of the commission; and

2-45 (C) solutions to operational challenges for

2-46 jails;

2-47 (17) report to the Texas Correctional Office on

2-48 Offenders with Medical or Mental Impairments on a jail's compliance

2-49 with Article 16.22, Code of Criminal Procedure;

2-50 (18) adopt reasonable rules and procedures

2-51 establishing minimum requirements for jails to:

2-52 (A) determine if a prisoner is pregnant; and

2-53 (B) ensure that the jail's health services plan

2-54 addresses medical and mental health care, including nutritional

2-55 requirements, and any special housing or work assignment needs for

2-56 persons who are confined in the jail and are known or determined to

2-57 be pregnant; ~~and~~

2-58 (19) provide guidelines to sheriffs regarding

2-59 contracts between a sheriff and another entity for the provision of

2-60 food services to or the operation of a commissary in a jail under

2-61 the commission's jurisdiction, including specific provisions

2-62 regarding conflicts of interest and avoiding the appearance of

2-63 impropriety; and

2-64 (20) require the sheriff of each county to:

2-65 (A) investigate and verify the veteran status of

2-66 each prisoner by using data made available from the Veterans

2-67 Reentry Search Service (VRSS) operated by the United States

2-68 Department of Veterans Affairs or a similar service; and

2-69 (B) use the data described by Paragraph (A) to

3-1 assist prisoners who are veterans in applying for federal benefits  
3-2 or compensation for which the prisoners may be eligible under a  
3-3 program administered by the United States Department of Veterans  
3-4 Affairs.

3-5 SECTION 3. This Act takes effect September 1, 2015.

3-6

\* \* \* \* \*