

1-1 By: Lucio III (Senate Sponsor - Menéndez) H.B. No. 2911  
 1-2 (In the Senate - Received from the House May 10, 2017;  
 1-3 May 12, 2017, read first time and referred to Committee on Criminal  
 1-4 Justice; May 19, 2017, reported favorably by the following vote:  
 1-5 Yeas 6, Nays 0; May 19, 2017, 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	X			
1-16			X	

1-17 A BILL TO BE ENTITLED  
 1-18 AN ACT

1-19 relating to a reemployment program as a condition of community  
 1-20 supervision for certain veterans who commit a misdemeanor offense.

1-21 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

1-22 SECTION 1. Chapter 42A, Code of Criminal Procedure, is  
 1-23 amended by adding Subchapter H-1 to read as follows:

1-24 SUBCHAPTER H-1. VETERANS REEMPLOYMENT PROGRAM

1-25 Art. 42A.381. VETERANS REEMPLOYMENT PROGRAM. In this  
 1-26 subchapter "veterans reemployment program" means a program that  
 1-27 provides education and training to veterans with the goal that the  
 1-28 veterans become gainfully employed.

1-29 Art. 42A.382. ELIGIBILITY. (a) A defendant placed on  
 1-30 deferred adjudication community supervision for or convicted of a  
 1-31 misdemeanor offense is eligible to participate in a veterans  
 1-32 reemployment program established under this subchapter if the  
 1-33 defendant is a veteran of the United States armed forces, including  
 1-34 a member of the reserves, national guard, or state guard.

1-35 (b) The judge granting community supervision to a defendant  
 1-36 described by Subsection (a) shall inform the defendant of the  
 1-37 defendant's eligibility for the program but may not require the  
 1-38 defendant to participate in the program.

1-39 (c) A judge may additionally impose any condition of  
 1-40 community supervision that the judge is authorized to impose under  
 1-41 this chapter on a defendant who chooses to participate in the  
 1-42 program under this subchapter.

1-43 Art. 42A.383. EDUCATION AND TRAINING COURSES. (a) A  
 1-44 participant in the program shall diligently attend workforce  
 1-45 development education and training courses developed or approved by  
 1-46 the Texas Workforce Commission under Chapter 316, Labor Code, as  
 1-47 directed by the court.

1-48 (b) The education and training courses under this article  
 1-49 must focus on providing a participant with useful workplace skills  
 1-50 most likely to lead to gainful employment by the participant.

1-51 (c) The education and training courses may be  
 1-52 individualized based on any physical or intellectual limitations of  
 1-53 the participant.

1-54 Art. 42A.384. COMPLETION OF PROGRAM. A participant  
 1-55 successfully completes the veterans reemployment program if the  
 1-56 participant completes the education and training courses required  
 1-57 by the court and:

1-58 (1) obtains employment and retains that employment for  
 1-59 three continuous months;

1-60 (2) diligently searches for employment for a  
 1-61 continuous period of six months; or

2-1 (3) is determined by the court to be unemployable  
2-2 because of a disability.

2-3 Art. 42A.385. FAILURE TO COMPLETE PROGRAM. (a) The judge  
2-4 may not revoke the community supervision of a defendant who fails to  
2-5 complete the program under this subchapter.

2-6 (b) If the defendant fails to complete the program under  
2-7 this subchapter, the judge may:

2-8 (1) modify the defendant's conditions of community  
2-9 supervision; and

2-10 (2) extend the period of community supervision so that  
2-11 the defendant may comply with the conditions under Subdivision (1).

2-12 SECTION 2. Subchapter E-1, Chapter 411, Government Code, is  
2-13 amended by adding Section 411.0729 to read as follows:

2-14 Sec. 411.0729. PROCEDURE FOR CERTAIN VETERANS. On  
2-15 successful completion of the veterans reemployment program created  
2-16 under Subchapter H-1, Chapter 42A, Code of Criminal Procedure, and  
2-17 all other conditions of the defendant's community supervision,  
2-18 regardless of whether the defendant meets the eligibility criteria  
2-19 under this subchapter, after notice to the state and a hearing on  
2-20 whether issuance of an order of nondisclosure is in the best  
2-21 interest of justice, the court shall enter an order of  
2-22 nondisclosure with respect to all records of the offense for which  
2-23 the defendant was convicted or placed on deferred adjudication  
2-24 community supervision.

2-25 SECTION 3. Subtitle B, Title 4, Labor Code, is amended by  
2-26 adding Chapter 316 to read as follows:

2-27 CHAPTER 316. VETERANS REEMPLOYMENT EDUCATION AND TRAINING COURSES

2-28 Sec. 316.001. VETERANS REEMPLOYMENT PROGRAM. In this  
2-29 chapter "veterans reemployment program" means the community  
2-30 supervision program created under Subchapter H-1, Chapter 42A, Code  
2-31 of Criminal Procedure.

2-32 Sec. 316.002. EDUCATION AND TRAINING COURSES. (a) The  
2-33 commission shall develop or approve education and training courses  
2-34 to assist veterans convicted of or placed on deferred adjudication  
2-35 community supervision for a misdemeanor offense under Subchapter  
2-36 H-1, Chapter 42A, Code of Criminal Procedure, in obtaining  
2-37 workforce skills and becoming gainfully employed.

2-38 (b) The education and training courses must provide  
2-39 instruction in workforce skills appropriate for veterans with  
2-40 disabilities.

2-41 SECTION 4. Not later than January 1, 2018, the Texas  
2-42 Workforce Commission shall develop or approve education and  
2-43 training courses as required under Chapter 316, Labor Code, as  
2-44 added by this Act.

2-45 SECTION 5. Subchapter H-1, Chapter 42A, Code of Criminal  
2-46 Procedure, applies only to a person placed on community  
2-47 supervision, including deferred adjudication community  
2-48 supervision, on or after January 1, 2018.

2-49 SECTION 6. This Act takes effect immediately if it receives  
2-50 a vote of two-thirds of all the members elected to each house, as  
2-51 provided by Section 39, Article III, Texas Constitution. If this  
2-52 Act does not receive the vote necessary for immediate effect, this  
2-53 Act takes effect September 1, 2017.

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