

1-1 By: Lucio III, Lopez (Senate Sponsor - Rodríguez) H.B. No. 714
 1-2 (In the Senate - Received from the House May 6, 2019;
 1-3 May 7, 2019, read first time and referred to Committee on Veteran
 1-4 Affairs & Border Security; May 17, 2019, reported favorably by the
 1-5 following vote: Yeas 6, Nays 0; May 17, 2019, sent to printer.)

1-6 COMMITTEE VOTE

	Yea	Nay	Absent	PNV
1-7 Campbell	X			
1-8 Hall	X			
1-9 Johnson	X			
1-10 Lucio			X	
1-11 Menéndez	X			
1-12 Schwertner	X			
1-13 Seliger	X			

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

1-17 relating to a reemployment program available to certain veterans
 1-18 placed on community supervision for a misdemeanor offense.

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

1-20 SECTION 1. Chapter 42A, Code of Criminal Procedure, is
 1-21 amended by adding Subchapter H-1 to read as follows:

1-22 SUBCHAPTER H-1. VETERANS REEMPLOYMENT PROGRAM

1-23 Art. 42A.381. VETERANS REEMPLOYMENT PROGRAM. In this
 1-24 subchapter, "veterans reemployment program" means a program that
 1-25 provides education and training to veterans with the goal that the
 1-26 veterans obtain workforce skills and become gainfully employed.

1-27 Art. 42A.382. ELIGIBILITY. (a) A defendant placed on
 1-28 community supervision, including deferred adjudication community
 1-29 supervision, for a misdemeanor offense is eligible to participate
 1-30 in a veterans reemployment program under this subchapter if the
 1-31 defendant is a veteran of the United States armed forces, including
 1-32 a member of the reserves, national guard, or state guard.

1-33 (b) The judge granting community supervision to a defendant
 1-34 described by Subsection (a) shall inform the defendant of the
 1-35 defendant's eligibility for participation in a veterans
 1-36 reemployment program but may not require the defendant to
 1-37 participate in the program.

1-38 (c) A judge may impose any condition of community
 1-39 supervision that the judge is authorized to impose under this
 1-40 chapter on a defendant who chooses to participate in the program
 1-41 under this subchapter, except that the judge may not impose a
 1-42 condition related to the program or the defendant's participation
 1-43 in the program.

1-44 Art. 42A.383. EDUCATION AND TRAINING COURSES. (a) The
 1-45 program shall provide program participants with access to workforce
 1-46 development education and training courses developed or approved by
 1-47 the Texas Workforce Commission under Chapter 316, Labor Code.

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 diligently attends and successfully completes the
 1-57 education and training courses under Article 42A.383 and:

1-58 (1) obtains employment and retains that employment for
 1-59 a continuous period of three 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. EXTENDED PERIOD ALLOWED FOR COMPLETION OF
2-4 PROGRAM. A defendant is not required to successfully complete a
2-5 program under this subchapter before the defendant completes the
2-6 applicable period of community supervision. The defendant may
2-7 continue to participate in a program following the defendant's
2-8 completion of that period.

2-9 Art. 42A.386. FAILURE TO COMPLETE PROGRAM. The judge may
2-10 not revoke the community supervision of a defendant solely because
2-11 the defendant fails to successfully complete a program under this
2-12 subchapter.

2-13 SECTION 2. Subchapter E-1, Chapter 411, Government Code, is
2-14 amended by adding Section 411.0729 to read as follows:

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

2-25 (b) Subsection (a) applies regardless of whether the
2-26 defendant meets the other eligibility criteria under this
2-27 subchapter.

2-28 SECTION 3. Subtitle B, Title 4, Labor Code, is amended by
2-29 adding Chapter 316 to read as follows:

2-30 CHAPTER 316. VETERANS REEMPLOYMENT EDUCATION AND TRAINING COURSES

2-31 Sec. 316.001. EDUCATION AND TRAINING COURSES. (a) The
2-32 commission shall develop or approve education and training courses
2-33 for the veterans reemployment program under Subchapter H-1, Chapter
2-34 42A, Code of Criminal Procedure, to assist eligible veterans in
2-35 obtaining workforce skills and becoming gainfully employed.

2-36 (b) The education and training courses must provide
2-37 instruction in workforce skills appropriate for veterans with
2-38 disabilities.

2-39 SECTION 4. Not later than January 1, 2020, the Texas
2-40 Workforce Commission shall develop or approve education and
2-41 training courses as required under Chapter 316, Labor Code, as
2-42 added by this Act.

2-43 SECTION 5. Subchapter H-1, Chapter 42A, Code of Criminal
2-44 Procedure, as added by this Act, applies only to a person placed on
2-45 community supervision, including deferred adjudication community
2-46 supervision, on or after January 1, 2020.

2-47 SECTION 6. This Act takes effect immediately if it receives
2-48 a vote of two-thirds of all the members elected to each house, as
2-49 provided by Section 39, Article III, Texas Constitution. If this
2-50 Act does not receive the vote necessary for immediate effect, this
2-51 Act takes effect September 1, 2019.

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