

1-1 By: Howard, et al. (Senate Sponsor - Huffman) H.B. No. 3227
1-2 (In the Senate - Received from the House April 23, 2019;
1-3 April 24, 2019, read first time and referred to Committee on
1-4 Criminal Justice; May 16, 2019, reported adversely, with favorable
1-5 Committee Substitute by the following vote: Yeas 6, Nays 0;
1-6 May 16, 2019, sent to printer.)

1-7 COMMITTEE VOTE

	Yea	Nay	Absent	PNV
1-9 Whitmire	X			
1-10 Huffman	X			
1-11 Buckingham	X			
1-12 Flores	X			
1-13 Hughes			X	
1-14 Miles	X			
1-15 Perry	X			

1-16 COMMITTEE SUBSTITUTE FOR H.B. No. 3227 By: Whitmire

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

1-19 relating to the availability of and access to certain programs and
1-20 services for persons in the custody of the Texas Department of
1-21 Criminal Justice.

1-22 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

1-23 SECTION 1. Chapter 493, Government Code, is amended by
1-24 adding Section 493.032 to read as follows:

1-25 Sec. 493.032. AVAILABILITY OF PEER SUPPORT SERVICES. (a)
1-26 The department shall adopt a policy to increase the availability of
1-27 formal and informal peer support services, including certified peer
1-28 specialist services, to a person confined in a facility operated by
1-29 or under contract with the department, including a state jail
1-30 felony facility, substance abuse felony punishment facility, or
1-31 intermediate sanction facility.

1-32 (b) The policy adopted under Subsection (a) must:

1-33 (1) allow for persons who have previously been
1-34 convicted of an offense, including releasees on parole or mandatory
1-35 supervision and defendants on community supervision, to serve as
1-36 certified peer specialists in a facility described by Subsection
1-37 (a);

1-38 (2) specify the conditions under which a person
1-39 described by Subdivision (1) may serve as a certified peer
1-40 specialist; and

1-41 (3) allow for persons confined in a facility described
1-42 by Subsection (a) to serve in a peer support role, provided that the
1-43 persons are trained and supervised by a community-based
1-44 organization described by Subsection (c).

1-45 (c) In implementing the policy adopted under Subsection
1-46 (a), the department shall:

1-47 (1) collaborate with community-based organizations
1-48 that provide peer specialist training, including training in any of
1-49 the following peer support specialties:

1-50 (A) certified peer specialist;
1-51 (B) certified peer reentry specialist;
1-52 (C) certified peer recovery specialist; or
1-53 (D) any other peer support specialty recognized
1-54 by the Health and Human Services Commission; and

1-55 (2) encourage and assist persons described by
1-56 Subsection (b)(3), with particular emphasis on persons who have
1-57 been involved with programs or services relating to substance abuse
1-58 or behavioral health, to participate in training described by
1-59 Subdivision (1).

1-60 SECTION 2. Subchapter A, Chapter 501, Government Code, is

2-1 amended by adding Section 501.026 to read as follows:

2-2 Sec. 501.026. ACCESS TO PROGRAMS BY FEMALE INMATES. (a)
2-3 The department shall develop and implement policies that increase
2-4 and promote a female inmate's access to programs offered to inmates
2-5 in the custody of the department, including educational,
2-6 vocational, substance use treatment, rehabilitation, life skills
2-7 training, and prerelease programs. The department may not reduce
2-8 or limit a male inmate's access to a program to meet the
2-9 requirements of this section.

2-10 (b) Not later than December 31 of each year, the department
2-11 shall:

2-12 (1) prepare and submit to the governor, the lieutenant
2-13 governor, the speaker of the house of representatives, each
2-14 standing committee of the legislature having primary jurisdiction
2-15 over the department, and the reentry task force described by
2-16 Section 501.098 a written report that includes:

2-17 (A) a description of any department policies that
2-18 were created, modified, or eliminated during the preceding year to
2-19 meet the requirements of this section; and

2-20 (B) a list of programs available to female
2-21 inmates in the custody of the department during the preceding year;
2-22 and

2-23 (2) publish the report on the department's Internet
2-24 website.

2-25 SECTION 3. Not later than September 1, 2020, the Texas
2-26 Department of Criminal Justice shall adopt and implement the policy
2-27 required by Section 493.032, Government Code, as added by this Act.

2-28 SECTION 4. (a) As soon as practicable after the effective
2-29 date of this Act, the Texas Department of Criminal Justice shall
2-30 develop and implement the policies required by Section 501.026,
2-31 Government Code, as added by this Act.

2-32 (b) The Texas Department of Criminal Justice shall submit
2-33 the first report required by Section 501.026, Government Code, as
2-34 added by this Act, not later than December 31, 2020.

2-35 SECTION 5. This Act takes effect September 1, 2019.

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