

1-1 By: Parker, et al. S.B. No. 2405
1-2 (In the Senate - Filed March 12, 2025; March 25, 2025, read
1-3 first time and referred to Committee on Criminal Justice;
1-4 April 10, 2025, reported adversely, with favorable Committee
1-5 Substitute by the following vote: Yeas 6, Nays 0; April 10, 2025,
1-6 sent to printer.)

1-7	COMMITTEE VOTE				
1-8		Yea	Nay	Absent	PNV
1-9	Flores	X			
1-10	Parker	X			
1-11	Hagenbuch	X			
1-12	Hinojosa of Hidalgo	X			
1-13	Huffman	X			
1-14	King			X	
1-15	Miles	X			

1-16 COMMITTEE SUBSTITUTE FOR S.B. No. 2405 By: Flores

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

1-19 relating to the continuation and functions of the Texas Board of
1-20 Criminal Justice and the Texas Department of Criminal Justice and
1-21 to the functions of the Board of Pardons and Paroles, the
1-22 Correctional Managed Health Care Committee, the Texas Correctional
1-23 Office on Offenders with Medical or Mental Impairments, and the
1-24 Windham School District.

1-25 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

1-26 SECTION 1. Article 2A.001, Code of Criminal Procedure, is
1-27 amended to read as follows:

1-28 Art. 2A.001. PEACE OFFICERS GENERALLY. The following are
1-29 peace officers:

1-30 (1) a sheriff, a sheriff's deputy, or a reserve deputy
1-31 sheriff who holds a permanent peace officer license issued under
1-32 Chapter 1701, Occupations Code;

1-33 (2) a constable, a deputy constable, or a reserve
1-34 deputy constable who holds a permanent peace officer license issued
1-35 under Chapter 1701, Occupations Code;

1-36 (3) a marshal or police officer of a municipality or a
1-37 reserve municipal police officer who holds a permanent peace
1-38 officer license issued under Chapter 1701, Occupations Code;

1-39 (4) a ranger, officer, or member of the reserve
1-40 officer corps commissioned by the Public Safety Commission and the
1-41 director of the Department of Public Safety;

1-42 (5) an investigator of a district attorney's, criminal
1-43 district attorney's, or county attorney's office;

1-44 (6) a law enforcement agent of the Texas Alcoholic
1-45 Beverage Commission;

1-46 (7) a member of an arson investigating unit
1-47 commissioned by a municipality, a county, or the state;

1-48 (8) an officer commissioned under Section 37.081,
1-49 Education Code, or Subchapter E, Chapter 51, Education Code;

1-50 (9) an officer commissioned by the Texas Facilities
1-51 Commission;

1-52 (10) a law enforcement officer commissioned by the
1-53 Parks and Wildlife Commission;

1-54 (11) an officer commissioned under Chapter 23,
1-55 Transportation Code;

1-56 (12) a municipal park and recreational patrol officer
1-57 or security officer;

1-58 (13) a security officer or investigator commissioned
1-59 as a peace officer by the comptroller;

1-60 (14) an officer commissioned by a water control and

2-1 improvement district under Section 49.216, Water Code;
 2-2 (15) an officer commissioned by a board of trustees
 2-3 under Chapter 54, Transportation Code;
 2-4 (16) an investigator commissioned by the Texas Medical
 2-5 Board;
 2-6 (17) an officer commissioned by:
 2-7 (A) the board of managers of the Dallas County
 2-8 Hospital District, the Tarrant County Hospital District, the Bexar
 2-9 County Hospital District, or the El Paso County Hospital District
 2-10 under Section 281.057, Health and Safety Code;
 2-11 (B) the board of directors of the Ector County
 2-12 Hospital District under Section 1024.117, Special District Local
 2-13 Laws Code;
 2-14 (C) the board of directors of the Midland County
 2-15 Hospital District of Midland County, Texas, under Section 1061.121,
 2-16 Special District Local Laws Code; or
 2-17 (D) the board of hospital managers of the Lubbock
 2-18 County Hospital District of Lubbock County, Texas, under Section
 2-19 1053.113, Special District Local Laws Code;
 2-20 (18) a county park ranger commissioned under
 2-21 Subchapter E, Chapter 351, Local Government Code;
 2-22 (19) an investigator employed by the Texas Racing
 2-23 Commission;
 2-24 (20) an officer commissioned under Chapter 554,
 2-25 Occupations Code;
 2-26 (21) an officer commissioned by the governing body of
 2-27 a metropolitan rapid transit authority under Section 451.108,
 2-28 Transportation Code, or a regional transportation authority under
 2-29 Section 452.110, Transportation Code;
 2-30 (22) an investigator commissioned by the attorney
 2-31 general under Section 402.009, Government Code;
 2-32 (23) a security officer or investigator commissioned
 2-33 as a peace officer under Chapter 466, Government Code;
 2-34 (24) an officer appointed by an appellate court under
 2-35 Subchapter F, Chapter 53, Government Code;
 2-36 (25) an officer commissioned by the state fire marshal
 2-37 under Chapter 417, Government Code;
 2-38 (26) an investigator commissioned by the commissioner
 2-39 of insurance under Section 701.104, Insurance Code;
 2-40 (27) an apprehension specialist or inspector general
 2-41 commissioned by the Texas Juvenile Justice Department as an officer
 2-42 under Section 242.102 or 243.052, Human Resources Code;
 2-43 (28) an officer commissioned ~~[appointed]~~ by the
 2-44 inspector general of the Texas Department of Criminal Justice under
 2-45 Section 493.019, Government Code;
 2-46 (29) an investigator commissioned by the Texas
 2-47 Commission on Law Enforcement under Section 1701.160, Occupations
 2-48 Code;
 2-49 (30) a fire marshal or any related officer, inspector,
 2-50 or investigator commissioned by a county under Subchapter B,
 2-51 Chapter 352, Local Government Code;
 2-52 (31) a fire marshal or any officer, inspector, or
 2-53 investigator commissioned by an emergency services district under
 2-54 Chapter 775, Health and Safety Code;
 2-55 (32) an officer commissioned by the State Board of
 2-56 Dental Examiners under Section 254.013, Occupations Code, subject
 2-57 to the limitations imposed by that section; and
 2-58 (33) an investigator commissioned by the Texas
 2-59 Juvenile Justice Department as an officer under Section 221.011,
 2-60 Human Resources Code.
 2-61 SECTION 2. Article 66.351, Code of Criminal Procedure, is
 2-62 amended to read as follows:
 2-63 Art. 66.351. BIENNIAL PLANS. The Department of Public
 2-64 Safety and the Texas Department of Criminal Justice, with advice
 2-65 from ~~[the council and]~~ the Department of Information Resources,
 2-66 shall develop biennial plans to:
 2-67 (1) improve the reporting and accuracy of the criminal
 2-68 justice information system; and
 2-69 (2) develop and maintain monitoring systems capable of

3-1 identifying missing information.

3-2 SECTION 3. Articles 66.352(a), (c), (d), (e), and (f), Code
3-3 of Criminal Procedure, are amended to read as follows:

3-4 (a) At least once during each five-year period, the state
3-5 auditor [~~council~~] shall conduct [~~coordinate~~] an examination of the
3-6 records and operations of the criminal justice information system
3-7 to ensure:

3-8 (1) the accuracy and completeness of information in
3-9 the system; and

3-10 (2) the promptness of information reporting.

3-11 (c) The [~~council, the~~] Department of Public Safety[~~7~~] and
3-12 the Texas Department of Criminal Justice may examine the records of
3-13 the agencies required to report information to the Department of
3-14 Public Safety or the Texas Department of Criminal Justice.

3-15 (d) The state auditor [~~examining entity under Subsection~~
3-16 ~~(b)~~] shall submit to the legislature and the governor [~~council~~] a
3-17 report that summarizes the findings of each examination and
3-18 contains recommendations for improving the criminal justice
3-19 information system.

3-20 (e) Not later than the first anniversary of the date the
3-21 state auditor [~~examining entity under Subsection (b)~~] submits a
3-22 report under Subsection (d), the Department of Public Safety shall
3-23 report to the Legislative Budget Board and[~~7~~] the governor[~~7~~, and
3-24 ~~the council~~] the department's progress in implementing the state
3-25 auditor's [~~examining entity's~~] recommendations, including the
3-26 reason for not implementing any recommendation.

3-27 (f) Each year following the submission of the report
3-28 described by Subsection (e), the Department of Public Safety shall
3-29 submit a similar report until each of the state auditor's
3-30 [~~examining entity's~~] recommendations is implemented.

3-31 SECTION 4. Section 19.003, Education Code, is amended to
3-32 read as follows:

3-33 Sec. 19.003. GOALS OF THE DISTRICT. The goals of the
3-34 district in educating its students are to:

3-35 (1) reduce recidivism;

3-36 (2) reduce the cost of confinement or imprisonment;

3-37 (3) increase the success of former students [~~inmates~~]
3-38 in obtaining and maintaining employment; and

3-39 (4) provide an incentive to students [~~inmates~~] to
3-40 behave in positive ways during confinement or imprisonment.

3-41 SECTION 5. Section 19.004(c), Education Code, is amended to
3-42 read as follows:

3-43 (c) The district shall:

3-44 (1) develop educational programs specifically
3-45 designed for persons eligible under Section 19.005 and ensure that
3-46 those programs, such as a high school equivalency program [~~CED~~] and
3-47 an English as a second language program [~~ESL~~], are integrated with
3-48 an applied career and technical [~~vocational~~] context leading to
3-49 employment;

3-50 (2) [~~(1-a)~~] develop career and technical education
3-51 [~~vocational training~~] programs specifically designed for persons
3-52 eligible under Section 19.005 and prioritize the programs that
3-53 result in certification or licensure, considering the impact that a
3-54 previous felony conviction has on the ability to secure
3-55 certification, licensure, and employment;

3-56 (3) [~~(1-b)~~] continually assess job markets in this
3-57 state and update, augment, and expand the career and technical
3-58 education [~~vocational training~~] programs developed under
3-59 Subdivision (2) [~~(1-a)~~] as necessary to provide relevant and
3-60 marketable skills to students; and

3-61 (4) [~~(2)~~] coordinate educational programs and
3-62 services in the department with those provided by other state
3-63 agencies, by political subdivisions, and by persons who provide
3-64 programs and services under contract.

3-65 SECTION 6. Section 19.0041(a), Education Code, is amended
3-66 to read as follows:

3-67 (a) To evaluate the effectiveness of its programs, the
3-68 Windham School District shall compile and analyze information for
3-69 each of its programs, including performance-based information and

data related to academic, career and technical education ~~[vocational training]~~, ~~[and]~~ life skills, and postsecondary education programs. This information shall be disaggregated by sex ~~and~~ include for each person who participates in district programs an evaluation of:

- (1) institutional disciplinary violations;
- (2) subsequent arrests;
- (3) subsequent convictions or confinements;
- (4) the cost of confinement;
- (5) educational achievement;
- (6) high school equivalency examination passage;
- (7) the kind of training services provided;
- (8) the kind of employment the person obtains on release;
- (9) whether the employment was related to training;
- (10) the difference between the amount of the person's earnings on the date employment is obtained following release and the amount of those earnings on the first anniversary of that date; ~~[and]~~
- (11) the retention factors associated with the employment; and
- (12) the number and percentage of students who completed training in a regulated industry who applied for and were issued or denied a certificate or license by a state agency.

SECTION 7. Section 19.0042, Education Code, is amended to read as follows:

Sec. 19.0042. INFORMATION TO BE PROVIDED BY DISTRICT BEFORE CAREER AND TECHNICAL EDUCATION ~~[VOCATIONAL TRAINING]~~ PROGRAM ENROLLMENT. Before a person described by Section 19.005 enrolls in a district career and technical education ~~[vocational training]~~ program, the district must inform the person in writing of:

- (1) any rule or policy of a state agency that would impose a restriction or prohibition on the person in obtaining a certificate or license in connection with the career and technical education ~~[vocational training]~~ program;
- (2) the total number of district students released during the preceding 10 years who have completed a district career and technical education ~~[vocational training]~~ program that allows for an opportunity to apply for a certificate or license from a state agency and, of those students:
 - (A) the number who have applied for a certificate or license from a state agency;
 - (B) the number who have been issued a certificate or license by a state agency; and
 - (C) the number who have been denied a certificate or license by a state agency; and
- (3) the procedures for:
 - (A) requesting a criminal history evaluation letter under Section 53.102, Occupations Code;
 - (B) providing evidence of fitness to perform the duties and discharge the responsibilities of a licensed occupation for purposes of Section 53.023, Occupations Code; and
 - (C) appealing a state agency's denial of a certificate or license, including deadlines and due process requirements:

- (i) to the State Office of Administrative Hearings under Subchapter C, Chapter 2001, Government Code; and
- (ii) through any other available avenue.

SECTION 8. Section 19.010(a), Education Code, is amended to read as follows:

(a) The district shall propose, and the board shall adopt with any modification the board finds necessary, a strategic plan that includes:

- (1) a mission statement relating to the goals and duties of the district under this chapter;
- (2) goals to be met by the district in carrying out the mission stated; and
- (3) specific educational, career and technical education ~~[vocational training]~~, and counseling programs to be

conducted by the district to meet the goals stated in the plan.

SECTION 9. Section 19.011, Education Code, is amended by amending Subsection (b) and adding Subsection (c) to read as follows:

(b) The district shall coordinate career and technical ~~[vocational]~~ education and job training programs with a local workforce development board authorized by the Texas Workforce Commission to ensure that district students are equipped with the skills necessary to compete for current and emerging jobs.

(c) The district may enter into an agreement with a governmental entity, including the Texas Workforce Commission, the Department of Public Safety, the Texas Department of Licensing and Regulation, other regulatory entities, or the Texas Higher Education Coordinating Board, to obtain and share data necessary to support and evaluate district and postsecondary education programs within the department.

SECTION 10. Section 491.001(a), Government Code, is amended by adding Subdivision (6-a) to read as follows:

(6-a) "Office of the inspector general" means the office of the inspector general for the department established under Section 493.019.

SECTION 11. Section 492.002(a), Government Code, is amended to read as follows:

(a) The board is composed of nine members appointed by the governor with the advice and consent of the senate. At least two members must have significant business or corporate experience. The governor may not appoint more than two members who reside in an area encompassed by the same administrative judicial region, as determined by Section 74.042.

SECTION 12. Section 492.0031, Government Code, is amended by amending Subsection (b) and adding Subsection (d) to read as follows:

(b) The training program must provide the person with information regarding:

(1) the law governing board and [legislation that created the] department operations [and the board];

(2) the programs, functions, rules, and budget of [operated by] the department;

(3) the scope of and limitations on the rulemaking authority [role and functions] of the board [department];

(4) [the rules of the department, with an emphasis on the rules that relate to disciplinary and investigatory authority,

[5] the current budget for the department,

[6] the results of the most recent formal audit of the department;

(5) [(7)] the requirements of:

(A) the laws relating to open meetings, public information, administrative procedure, and disclosing conflicts of interest [law, Chapter 551]; and

(B) other laws applicable to members of a state policy-making body in performing their duties [the public information law, Chapter 552,

[(C) the administrative procedure law, Chapter 2001, and

[(D) other laws relating to public officials, including conflict of interest laws]; and

(6) [(8)] any applicable ethics policies adopted by the department or the Texas Ethics Commission.

(d) The executive director shall create a training manual that includes the information required by Subsection (b). The executive director shall distribute a copy of the training manual annually to each member of the board. Each member of the board shall sign and submit to the executive director a statement acknowledging that the member received and has reviewed the training manual.

SECTION 13. Section 492.012, Government Code, is amended to read as follows:

Sec. 492.012. SUNSET PROVISION. The Texas Board of Criminal Justice and the Texas Department of Criminal Justice are

subject to Chapter 325 (Texas Sunset Act). Unless continued in existence as provided by that chapter, the board and the department are abolished September 1, 2037 [2025].

SECTION 14. Section 492.013, Government Code, is amended by amending Subsections (a), (c), and (e) and adding Subsections (a-1) and (b-1) to read as follows:

(a) The board shall maintain oversight and supervision of the following independent reporting entities:

(1) the office of the independent auditor;
 (2) the office of the independent ombudsman;
 (3) the office of the inspector general;
 (4) the office of the ombudsperson appointed under Section 501.172; and

(5) the office providing legal representation under Article 26.051, Code of Criminal Procedure, and Section 841.005, Health and Safety Code.

(a-1) The board may adopt rules as necessary for its own procedures and for operation of the department and the independent reporting entities.

(b-1) The board shall employ a director for each independent reporting entity, and each director serves at the pleasure of the board.

(c) The board shall approve the operating budget of and requests for appropriations for the department and the independent reporting entities [and the department's request for appropriations].

(e) The board shall develop and implement policies that clearly separate the policymaking responsibilities of the board and the management responsibilities of the executive director and the staff of the department and the independent reporting entities.

SECTION 15. Section 493.002(a), Government Code, is amended to read as follows:

(a) The following divisions are within the department:

(1) the community justice assistance division;
 (2) the institutional division;
 (3) the pardons and paroles division;
 (4) [the state jail division;
 (5) [the internal audit division; and
 (6) the rehabilitation and reentry [programs and services] division.

SECTION 16. Section 493.0021(a), Government Code, is amended to read as follows:

(a) Notwithstanding Sections 493.002, 493.003, 493.004, 493.005, [493.0051,] 493.0052, [as added by Chapter 1360, Acts of the 75th Legislature, Regular Session, 1997,] and 493.0053 [493.0052, as added by Chapter 490, Acts of the 75th Legislature, Regular Session, 1997], the executive director, with the approval of the board, may:

(1) create divisions in addition to those listed in Section 493.002 and assign to the newly created divisions any duties and powers imposed on or granted to an existing division or to the department generally;

(2) eliminate any division listed in Section 493.002 or created under this section and assign any duties or powers previously assigned to the eliminated division to another division listed in Section 493.002 or created under this section; or

(3) eliminate all divisions listed in Section 493.002 or created under this section and reorganize the distribution of powers and duties granted to or imposed on a division in any manner the executive director determines is best for the proper administration of the department.

SECTION 17. Section 493.004, Government Code, is amended to read as follows:

Sec. 493.004. INSTITUTIONAL DIVISION. The institutional division shall operate and manage:

(1) the state prison system; and
 (2) state jails to confine defendants described by Section 507.002.

SECTION 18. Section 493.0053, Government Code, is amended

to read as follows:

Sec. 493.0053. REHABILITATION AND REENTRY [~~PROGRAMS AND SERVICES~~] DIVISION. (a) The rehabilitation and reentry [~~programs and services~~] division shall administer those rehabilitation and reintegration programs and services designated by the board under Subsection (b).

(b) The board shall determine which programs and services operating under the authority of the department are designed for the primary purpose of rehabilitating inmates and shall designate those programs and services as programs and services provided under the direction of the rehabilitation and reentry [~~programs and services~~] division.

SECTION 19. Section 493.0083, Government Code, is amended to read as follows:

Sec. 493.0083. PROGRAM EVALUATION CAPABILITY. The department shall maintain a program evaluation capability separate from the rehabilitation and reentry [~~programs and services~~] division to determine the effectiveness of rehabilitation and reintegration programs and services provided to inmates and other offenders under the jurisdiction of the department.

SECTION 20. Chapter 493, Government Code, is amended by adding Section 493.0084 to read as follows:

Sec. 493.0084. INVENTORY AND EVALUATION OF ACTIVE PROGRAMS. (a) The department shall develop and maintain a comprehensive inventory of active programs and activities offered in department facilities that includes the following information for each program:

- (1) program goals;
- (2) program capacity; and
- (3) facilities where the program is offered.

(b) The department shall make the inventory available to the public on the department's Internet website and continuously update the inventory.

(c) The department shall collect and analyze data for the programs described by Subsection (a) to provide oversight of the programs and to improve program offerings.

(d) In carrying out the department's duties under Subsection (c), the department shall:

(1) for programs claiming rehabilitative or reentry effects:

- (A) collect results-based performance data;
- (B) work with qualified internal or external researchers to develop criteria to evaluate the programs; and
- (C) use the criteria developed under Paragraph (B) to evaluate the programs, including the data described by Paragraph (A);

(2) create a separate correctional elective programs and activities category for non-evidence-based and non-evidence-informed programs and develop criteria to evaluate the programs;

(3) collect and analyze relevant data for program participants in programs claiming rehabilitative or reentry effects, such as:

- (A) institutional disciplinary violations;
- (B) subsequent arrests;
- (C) subsequent convictions or confinements;
- (D) employment obtained following release; and
- (E) cost of confinement; and

(4) use the data described by Subdivision (3) to produce and compare recidivism rates and other correctional impact trends and to make changes to the programs as needed.

(e) The department may make structural or programmatic adjustments to improve program performance in response to a program evaluation under this section indicating poor program performance.

(f) Not later than December 1 of each even-numbered year, the department shall submit a report on the department's analysis of programs described by Subsection (a) to the board, the Board of Pardons and Paroles, the governor, the lieutenant governor, the speaker of the house of representatives, and each standing

committee of the legislature with primary jurisdiction over the department.

(g) The department may enter into a memorandum of understanding with other entities to obtain and share data necessary to evaluate programs under this section.

SECTION 21. Section 493.016(d), Government Code, is amended to read as follows:

(d) The department shall provide notice ~~[a written copy]~~ of the department's policies and procedures relating to complaint investigation and resolution to:

(1) all department employees; and

(2) each person filing a complaint.

SECTION 22. Section 493.019, Government Code, is amended to read as follows:

Sec. 493.019. OFFICE OF THE INSPECTOR GENERAL ~~[ENFORCEMENT OFFICERS]~~. (a) The office of the inspector general is established under the direction of the board as an independent law enforcement agency and is responsible for preventing and investigating:

(1) offenses committed by department employees and inmates; and

(2) offenses committed at a facility operated by or under contract with the department or at any facility in which an individual in the custody of the department is housed or receives medical or mental health treatment, including:

(A) unauthorized or illegal entry into a department facility;

(B) the introduction of contraband into a department facility;

(C) escape from a department facility and parole absconders;

(D) organized criminal activity; and

(E) violations of department policy or procedure.

(b) The board shall employ a commissioned peace officer as the inspector general, who may be terminated by board action.

~~(c) The inspector general may employ and commission [appoint employees who are certified by the Texas Commission on Law Enforcement as qualified to be] peace officers for the purpose of carrying out the duties described by this section [to serve under the direction of the inspector general and assist the inspector general in performing the enforcement duties of the department].~~

(d) Peace officers employed and commissioned under Subsection (c) must:

(1) be licensed as an officer under Chapter 1701, Occupations Code; and

(2) complete advanced courses relating to the duties of peace officers employed and commissioned under Subsection (c) as part of any continuing education requirements for the peace officers.

(e) The office of the inspector general shall work cooperatively with other law enforcement agencies while performing its duties under this section or other law.

SECTION 23. Chapter 493, Government Code, is amended by adding Section 493.036 to read as follows:

Sec. 493.036. LONG-TERM FACILITIES PLAN. (a) The department shall prepare a 10-year plan that identifies the department's facility and capacity needs.

(b) In developing the plan under Subsection (a), the department:

(1) must consider the various regional needs of the state, including any ancillary or community benefits associated with department facilities; and

(2) may contract with a third party as needed.

(c) Not later than September 1, 2026, and every fourth anniversary of that date, the department shall submit:

(1) the plan to the board for approval; and

(2) the approved plan to the governor, the lieutenant governor, the speaker of the house of representatives, and each standing legislative committee with jurisdiction over

appropriations or the department.

SECTION 24. Section 497.022, Government Code, is amended to read as follows:

Sec. 497.022. CONTRACTS. The department may contract with:

(1) another state, the federal government, a foreign government, or an agency of any of those governments to manufacture for or sell to those governments prison-made articles or products;

(2) a private or independent institution of higher education to manufacture for or sell to that school or institution prison-made articles or products; or

(3) a private school or a ~~[visually handicapped]~~ person with visual impairment in this state to manufacture Braille textbooks or other instructional aids for the education of ~~[visually handicapped]~~ persons with visual impairment.

SECTION 25. Section 497.094(b), Government Code, is amended to read as follows:

(b) The department and the Texas Workforce Investment Council by rule shall adopt a memorandum of understanding that establishes the respective responsibility of those entities to provide through local workforce development boards job training and employment assistance to persons formerly sentenced to the custody of the department ~~[institutional division or the state jail division]~~ and information on services available to employers or potential employers of those persons. The department shall coordinate the development of the memorandum of understanding.

SECTION 26. Sections 497.112(a) and (c), Government Code, are amended to read as follows:

(a) The department ~~[institutional division]~~ shall review annually the agricultural operations of the institutional division. The review must include:

(1) a cost-effectiveness analysis of all agricultural programs;

(2) a determination as to whether the institutional division could more economically purchase certain agricultural products rather than produce those products; and

(3) a determination as to whether certain agricultural operations performed by inmates could be mechanized, taking into account whether mechanization would adversely affect security or inmate discipline.

(c) The department ~~[institutional division]~~ shall provide the board with a copy of the annual review required by this section.

SECTION 27. Section 499.101, Government Code, is amended to read as follows:

Sec. 499.101. MAXIMUM CAPACITIES ~~[EXISTING UNITS]~~. (a) The board by rule shall establish maximum capacities for the units in the department. ~~[institutional division are as follows:]~~

[Beto I]	3,000
[Beto II]	888
[Boyd]	1,012
[Briscoe]	1,012
[Central]	720
[Clemens]	851
[Clements]	2,200
[Coffield]	3,000
[Daniel]	1,012
[Darrington]	1,610
[Diagnostic]	1,365
[Eastham]	2,050
[Ellis I]	1,900
[Ellis II]	2,260
[Ferguson]	2,100
[Gatesville]	1,571
[Coree]	1,058
[Hightower]	1,012
[Hilltop]	761
[Hobby]	1,012
[Hughes]	2,264
[Huntsville]	1,705
[Jester I]	323

10-1	[Jester II]	378
10-2	[Jester III]	908
10-3	[Lewis]	1,012
10-4	[McConnell]	2,264
10-5	[Michael]	2,264
10-6	[Mountain View]	718
10-7	[Pack I]	864
10-8	[Pack II]	1,088
10-9	[Panpa]	1,012
10-10	[Ramsey I]	1,400
10-11	[Ramsey II]	850
10-12	[Ramsey III]	1,000
10-13	[Retrieve]	770
10-14	[Roach]	1,012
10-15	[Robertson]	2,264
10-16	[Smith]	1,012
10-17	[Stiles]	2,264
10-18	[Terrell]	2,264
10-19	[Torres]	1,012
10-20	[Wynne]	2,300]

(b) It is the intent of the legislature that as case law evolves and indicates that maximum capacities for units in the department ~~established under Subsection (a)]~~ may be increased, the staff of the department ~~[institutional division]~~ shall use the procedures established by this subchapter to increase those capacities. There shall be no cause of action against the institutional division for failure to take action under this subsection.

SECTION 28. Section 499.102, Government Code, is amended to read as follows:

Sec. 499.102. STAFF DETERMINATIONS AND RECOMMENDATIONS.
 (a) The staff of the department ~~[institutional division]~~, on its own initiative or as directed by the governor or the board, may recommend to the administration of the institutional division that the maximum capacity ~~established under Section 499.101]~~ for a unit be increased if the staff determines through written findings that the division can increase the maximum capacity and provide:

(1) proper inmate classification and housing within the unit that is consistent with the classification system;

(2) housing flexibility to allow necessary repairs and routine and preventive maintenance to be performed without compromising the classification system;

(3) adequate space in dayrooms;

(4) all meals within a reasonable time, allowing each inmate a reasonable time within which to eat;

(5) operable hygiene facilities that ensure the availability of a sufficient number of fixtures to serve the inmate population;

(6) adequate laundry services;

(7) sufficient staff to:

(A) meet operational and security needs;

(B) meet health care needs, including the needs of inmates requiring psychiatric care, inmates with an intellectual disability, and inmates with a physical disability;

(C) provide a safe environment for inmates and staff; and

(D) provide adequate internal affairs investigation and review;

(8) medical, dental, and psychiatric care adequate to ensure:

(A) minimal delays in delivery of service from the time sick call requests are made until the service is performed;

(B) access to regional medical facilities;

(C) access to the institutional division hospital at Galveston or contract facilities performing the same services;

(D) access to specialty clinics; and

(E) a sufficient number of psychiatric inpatient beds and sheltered beds for inmates with an intellectual

11-1 disability;

11-2 (9) a fair disciplinary system that ensures due
11-3 process and is adequate to ensure safety and order in the unit;

11-4 (10) work, vocational, academic, and on-the-job
11-5 training programs that afford all eligible inmates with an
11-6 opportunity to learn job skills or work habits that can be applied
11-7 on release, appropriately staffed and of sufficient quality;

11-8 (11) a sufficient number and quality of
11-9 nonprogrammatic and recreational activities for all eligible
11-10 inmates who choose to participate;

11-11 (12) adequate assistance from persons trained in the
11-12 law or a law library with a collection containing necessary
11-13 materials and space adequate for inmates to use the law library for
11-14 study related to legal matters;

11-15 (13) adequate space and staffing to permit contact and
11-16 noncontact visitation of all eligible inmates;

11-17 (14) adequate maintenance programs to repair and
11-18 prevent breakdowns caused by increased use of facilities and
11-19 fixtures; and

11-20 (15) space and staff sufficient to provide all the
11-21 services and facilities required by this section.

11-22 (b) The staff of the department ~~[institutional division]~~
11-23 shall request of the Legislative Budget Board an estimate of the
11-24 initial cost of implementing the increase in capacity and the
11-25 increase in operating costs of the unit for the five years
11-26 immediately following the increase in capacity. The Legislative
11-27 Budget Board shall provide the staff with the estimates, and the
11-28 staff shall attach a copy of the estimates to the recommendations.

11-29 (c) The staff of the department ~~[institutional division]~~
11-30 may not take more than 90 days from the date the process is
11-31 initiated to make recommendations on an increase in the maximum
11-32 capacity for a unit under this section.

11-33 SECTION 29. Section 499.104, Government Code, is amended to
11-34 read as follows:

11-35 Sec. 499.104. OFFICERS' REVIEW AND RECOMMENDATION. The
11-36 executive director of the department, the director of the
11-37 institutional division, the deputy director for operations, the
11-38 deputy director for finance, the deputy director for programs, the
11-39 division ~~[deputy]~~ director for health services, and the division
11-40 ~~[assistant]~~ director for classification and inmate transportation
11-41 ~~[treatment]~~ shall independently review staff recommendations for
11-42 an increase in the maximum capacity of a unit and the written
11-43 findings accompanying the recommendation. Not later than the 30th
11-44 day after the date of accepting the comments of the other officers,
11-45 if the executive director agrees that the new maximum capacity for
11-46 the unit is supported by the findings, the executive director shall
11-47 forward the recommendation and findings to the board.

11-48 SECTION 30. Section 499.105, Government Code, is amended to
11-49 read as follows:

11-50 Sec. 499.105. BOARD REVIEW AND IMPLEMENTATION; NOTICE TO
11-51 GOVERNOR ~~[RECOMMENDATION]~~. The board shall review the
11-52 recommendation and findings forwarded to the board under Section
11-53 499.104. Not later than the 60th day after the date the board
11-54 receives the recommendation and findings, the board shall reject
11-55 the recommendation or accept or modify the recommendation. The
11-56 board may establish a new maximum capacity based on the accepted or
11-57 modified recommendation. The board shall ~~[and]~~ forward the
11-58 recommendation or modified recommendation and findings to the
11-59 governor. The board may not modify the recommendation by
11-60 increasing the maximum capacity specified in the recommendation.

11-61 SECTION 31. Section 499.108(b), Government Code, is amended
11-62 to read as follows:

11-63 (b) Maximum capacity for a unit must be established under
11-64 this section in the same manner as maximum capacity for a unit is
11-65 increased under Sections 499.102, 499.104, and 499.105 ~~[, 499.106,
11-66 ~~and 499.107]~~, except that time limits on official actions imposed
11-67 by those sections do not apply.~~

11-68 SECTION 32. Section 499.109(b), Government Code, is amended
11-69 to read as follows:

(b) The attorney general may authorize the institutional division to increase the inmate population of the division above 100 percent, but only if:

(1) the staff determines through written findings that the population may be increased without limiting the ability of the division to transfer inmates between units as necessary for classification, medical, and security purposes; and

(2) the administration of the department and~~[, and the governor]~~ approve of the increase, in the same manner as increases in capacity of individual units are approved under Sections 499.104 and~~[, and 499.105]~~ 499.105~~[, and 499.106]~~.

SECTION 33. Subchapter F, Chapter 499, Government Code, is amended by adding Section 499.1214 to read as follows:

Sec. 499.1214. PEN PACKET SUBMISSION TRAINING. (a) The department shall develop and provide annual training for county employees on the submission of documents required before the department takes custody of a person being transferred from a county jail to the department, including documents required under Sections 8(a) and (c), Article 42.09, Code of Criminal Procedure.

(b) The training required under this section may be offered in person or online. Online training may be offered live or prerecorded.

SECTION 34. Section 499.156, Government Code, is amended to read as follows:

Sec. 499.156. VOCATIONAL TRAINING. The department shall adopt a policy under which a representative of a public or private entity, including a public or private institution of higher education, may provide vocational training on a voluntary basis to inmates [confined in a transfer facility authorized under this subchapter].

SECTION 35. Section 501.002, Government Code, is amended to read as follows:

Sec. 501.002. ASSAULT BY EMPLOYEE ON INMATE. If an employee of the department commits an assault on an inmate housed in a facility operated by or under contract with the department, the executive director shall refer the matter to an appropriate law enforcement [file a complaint with the proper] official [of the county in which the offense occurred]. If an employee is charged with an assault described by this section, an inmate or person who was an inmate at the time of the alleged offense may testify in a prosecution of the offense.

SECTION 36. Section 501.009, Government Code, is amended to read as follows:

Sec. 501.009. VOLUNTEER AND FAITH-BASED ORGANIZATIONS~~[, REPORT]~~. (a) The department shall adopt a policy that requires department staff [each warden] to identify volunteer and faith-based organizations that provide programs for inmates housed in facilities operated by the department. The policy must require the staff [each warden] to actively encourage volunteer and faith-based organizations to provide the following programs for inmates in department facilities [the warden's facility]:

- (1) literacy and education programs;
- (2) life skills programs;
- (3) job skills programs;
- (4) parent-training programs;
- (5) drug and alcohol rehabilitation programs;
- (6) support group programs;
- (7) arts and crafts programs; and
- (8) other programs determined by the department to aid inmates in the transition between confinement and society and to reduce incidence of recidivism among inmates.

(b) The policy must require the staff to solicit feedback from the warden and chaplains of each facility on the facility's needs regarding volunteer and faith-based organization provided programs.

(c) The department shall include in the biennial report required under Section 493.0084(f) [that each warden submit a report to the board not later than December 31 of each year that includes, for the preceding fiscal year,] a summary of:

(1) the programs provided to inmates under this section; and

(2) the actions taken ~~[by the warden]~~ to identify volunteer and faith-based organizations willing to provide programs to inmates and to encourage those organizations to provide programs in the department facilities ~~[warden's facility]~~.

SECTION 37. Section 501.017(b), Government Code, is amended to read as follows:

(b) The department may not enforce a claim or lien established under this section if the inmate has a surviving spouse or a surviving dependent or child with a disability ~~[disabled child]~~.

SECTION 38. Section 501.054(h), Government Code, is amended to read as follows:

(h) The department shall report to the legislature not later than December 1 ~~[January 15]~~ of each even-numbered ~~[odd-numbered]~~ year concerning the implementation of this section and the participation of inmates and employees of the department in education programs established under this section.

SECTION 39. Section 501.055(a), Government Code, is amended to read as follows:

(a) If an inmate dies while in the custody of the department, an employee of the facility who is in charge of the inmate shall immediately notify the nearest justice of the peace serving in the county in which the inmate died and the office of inspector general ~~[internal affairs]~~ for the department. The justice shall personally inspect the body and make an inquiry as to the cause of death. The justice shall make written copies of evidence taken during the inquest, and give one copy to the director and one copy to a district judge serving in the county in which the inmate died. The judge shall provide the copy to the grand jury and, if the judge determines the evidence indicates wrongdoing, instruct the grand jury to thoroughly investigate the cause of death.

SECTION 40. Sections 501.057(a) and (b), Government Code, are amended to read as follows:

(a) The department shall establish a system to identify ~~[mentally ill]~~ inmates with mental illness who are nearing eligibility for release on parole.

(b) Not later than the 30th day before the initial parole eligibility date of an inmate identified as having a mental illness ~~[mentally ill]~~, an institutional division psychiatrist shall examine the inmate. The psychiatrist shall file a sworn application for court-ordered temporary mental health services under Chapter 574, Health and Safety Code, if the psychiatrist determines that the inmate has a mental illness ~~[is mentally ill]~~ and as a result of the illness the inmate meets at least one of the criteria listed in Section 574.034 or 574.0345, Health and Safety Code.

SECTION 41. The heading to Section 501.069, Government Code, is amended to read as follows:

Sec. 501.069. OFFENDERS WITH INTELLECTUAL OR DEVELOPMENTAL DISABILITIES ~~[DEVELOPMENTALLY DISABLED OFFENDER PROGRAM]~~.

SECTION 42. Section 501.092(i), Government Code, is amended to read as follows:

(i) Not later than December ~~[September]~~ 1 of each even-numbered year, the department shall deliver a report of the results of evaluations conducted under Subsection (b)(7) to the lieutenant governor, the speaker of the house of representatives, and each standing committee of the senate and house of representatives having primary jurisdiction over the department.

SECTION 43. Subchapter C, Chapter 501, Government Code, is amended by adding Section 501.104 to read as follows:

Sec. 501.104. STRATEGIC PLAN FOR REHABILITATION AND REENTRY PROGRAMS. (a) In this section, "parole-voted program" has the meaning assigned by Section 508.1521.

(b) The department and the Windham School District shall jointly develop a strategic plan for the provision of rehabilitation and reentry programs to inmates. The strategic plan

must include program objectives and timelines intended to:

- (1) increase program efficiencies, including eliminating delays in placing inmates into parole-voted programs;
- (2) reduce program redundancies;
- (3) incorporate new evidence-based and evidence-informed program approaches; and
- (4) incorporate technology-based solutions.

(b-1) The strategic plan must include clear steps and timelines to reduce, by September 1, 2027, overall parole-voted program placement timelines by at least 50 percent compared to the timelines on August 31, 2023. This subsection expires December 31, 2027.

(c) In developing the strategic plan, the department shall evaluate therapeutic service contracts and obligations and renegotiate the contracts and obligations as necessary to meet current and projected program needs.

(d) The department and the Windham School District shall jointly update the strategic plan at least once every five years.

(e) Not later than December 1 of each even-numbered year, the department and the Windham School District shall submit a joint report on the implementation of the strategic plan to the board, the Board of Pardons and Paroles, the governor, the lieutenant governor, the speaker of the house of representatives, and each standing committee of the legislature with primary jurisdiction over the department.

(f) In preparing the report under Subsection (e), the department and the Windham School District shall consider the most recent report prepared under Section 501.103.

SECTION 44. Section 501.138(c), Government Code, is amended to read as follows:

(c) If the executive director [~~managed health care administrator~~] has knowledge that a potential ground for removal exists, the executive director [~~administrator~~] shall notify the presiding officer of the committee of the potential ground. The presiding officer shall then notify the governor and the attorney general that a potential ground for removal exists. If the potential ground for removal involves the presiding officer, the executive director [~~managed health care administrator~~] shall notify the next highest ranking officer of the committee, who shall then notify the governor and the attorney general that a potential ground for removal exists.

SECTION 45. Section 501.140, Government Code, is amended by amending Subsection (b) and adding Subsection (d) to read as follows:

(b) The training program must provide the person with information regarding:

(1) the law governing committee [~~legislation that created the committee~~] operations;

(2) the programs, functions, rules, and budget of [~~operated by~~] the committee;

(3) the scope of and limitations on the rulemaking authority [~~role and functions~~] of the committee;

(4) [~~the rules of the committee with an emphasis on the rules that relate to disciplinary and investigatory authority,~~

[~~(5) the current budget for the committee,~~

[~~(6)~~] the results of the most recent formal audit of the committee;

(5) [~~(7)~~] the requirements of:

(A) laws relating to [~~the~~] open meetings, public information, administrative procedure, and disclosing conflicts of interest [~~law, Chapter 551~~]; and

(B) other laws applicable to members of a state policy-making body in performing their duties [~~the public information law, Chapter 552,~~

[~~(C) the administrative procedure law, Chapter 2001,~~ and

[~~(D) other laws relating to public officials, including conflict-of-interest laws~~]; and

(6) [~~(8)~~] any applicable ethics policies adopted by

the department ~~[committee]~~ or the Texas Ethics Commission.

(d) The executive director shall create a training manual that includes the information required by Subsection (b). The executive director shall distribute a copy of the training manual annually to each member of the committee. Each member of the committee shall sign and submit to the executive director a statement acknowledging that the member received and has reviewed the training manual.

SECTION 46. The heading to Chapter 507, Government Code, is amended to read as follows:

CHAPTER 507. STATE JAIL MANAGEMENT ~~[DIVISION]~~

SECTION 47. Sections 507.001(a) and (b), Government Code, are amended to read as follows:

(a) The department ~~[state jail division]~~ may operate, maintain, and manage state jail felony facilities to confine inmates described by Section 507.002, and the department may finance and construct those facilities. The department ~~[state jail division]~~, with the approval of the board, may contract with ~~[the institutional division]~~ a private vendor, a community supervision and corrections department, or the commissioners court of a county for the construction, operation, maintenance, or management of a state jail felony facility. The community justice assistance division shall assist the department ~~[state jail division]~~ to contract with a community supervision and corrections department for the construction, operation, maintenance, or management of a state jail felony facility. ~~[The state jail division shall consult with the community justice assistance division before contracting with a community supervision and corrections department under this section.]~~ A community supervision and corrections department or the commissioners court of a county that contracts under this section may subcontract with a private vendor for the provision of any or all services described by this subsection. A community supervision and corrections department that contracts under this section may subcontract with the commissioners court of a county for the provision of any or all services described by this subsection. The board may contract with a private vendor or the commissioners court of a county for the financing or construction of a state jail felony facility.

(b) The department ~~[community justice assistance division and the state jail division]~~ shall develop and implement work programs and programs of rehabilitation, education, and recreation in state jail felony facilities. For each state jail felony facility, the community justice assistance division and the department ~~[state jail division]~~ shall consult with the community supervision and corrections departments and the community justice councils served by the facility in developing programs in that facility, and shall develop the programs in a manner that makes appropriate use of facilities and personnel of the community supervision and corrections departments. In developing the programs, the department ~~[state jail division]~~ and the community justice assistance division shall attempt to structure programs so that they are operated on a 90-day cycle, although the department ~~and the division~~ ~~[divisions]~~ should deviate from a 90-day schedule as necessary to meet the requirements of a particular program.

SECTION 48. Section 507.002, Government Code, is amended to read as follows:

Sec. 507.002. ELIGIBLE DEFENDANTS. The department ~~[state jail division]~~ may confine in a state jail felony facility authorized by this subchapter defendants required by a judge to serve a term of confinement in a state jail felony facility following a grant of deferred adjudication for or conviction of an offense punishable as a state jail felony.

SECTION 49. Section 507.006(a), Government Code, is amended to read as follows:

(a) Notwithstanding any other provision of this subchapter, the department ~~[state jail division]~~, with the approval of the board, may designate one or more state jail felony facilities to treat inmates who are eligible for confinement in a substance abuse felony punishment facility under Section 493.009 or to house

inmates who are sentenced to imprisonment in the institutional division, but only if the designation does not deny placement in a state jail felony facility of defendants required to serve terms of confinement in a facility following conviction of state jail felonies. The department ~~[division]~~ may not house in a state jail felony facility an inmate who:

(1) has a history of or has shown a pattern of violent or assaultive behavior in county jail or a facility operated by the department; or

(2) will increase the likelihood of harm to the public if housed in the facility.

SECTION 50. Section 507.022, Government Code, is amended to read as follows:

Sec. 507.022. EMPLOYEES' SALARIES, ROOM AND BOARD, AND MEDICAL CARE. (a) Salaries of department employees assigned to a ~~[of the]~~ state jail felony facility ~~[division]~~ and the provision of board, lodging, uniforms, and other provisions to employees are as provided by the General Appropriations Act.

(b) Department employees assigned to a ~~[Employees of the]~~ state jail felony facility ~~[division]~~ who are injured in the line of duty are entitled to receive free medical care and hospitalization from institutional division doctors and the institutional division hospital.

SECTION 51. Sections 507.023(a) and (b), Government Code, are amended to read as follows:

(a) The department ~~[state jail division]~~ shall establish and provide education programs to educate department ~~[state jail division]~~ employees and defendants in state jail felony facilities about AIDS and HIV in the same manner as the institutional division establishes and provides programs for employees and inmates under Section 501.054.

(b) The department ~~[state jail division]~~ shall adopt a policy for handling a defendant with AIDS or HIV and shall test a defendant for AIDS or HIV in the same manner and subject to the same conditions as apply to the institutional division under Section 501.054.

SECTION 52. Section 507.024, Government Code, is amended to read as follows:

Sec. 507.024. TRANSPORTATION OF DEFENDANTS. The board shall adopt rules to provide for the safe transfer of defendants from counties to state jail felony facilities. A sheriff may transport defendants to a state jail felony facility if the sheriff is able to perform the service as economically as if the service were performed by the department ~~[division]~~. The department ~~[state jail division]~~ is responsible for the cost of transportation of defendants to a state jail felony facility ~~[the division]~~. Defendants may be transported with other persons being transported to the custody of the department provided appropriate security precautions prescribed by policies of the department are taken.

SECTION 53. Section 507.025, Government Code, is amended to read as follows:

Sec. 507.025. MEDICAL CARE. The department ~~[state jail division]~~, with the approval of the board, may contract with ~~[the institutional division]~~ a private vendor~~[r]~~ or any public health care provider for the provision of medical services to defendants in state jail felony facilities.

SECTION 54. Section 507.029, Government Code, is amended to read as follows:

Sec. 507.029. USE OF INMATE LABOR. The department may use the labor of inmates of the institutional division in any work or community service program or project performed by a ~~[the]~~ state jail felony facility ~~[division]~~.

SECTION 55. Sections 507.030(a-1) and (b), Government Code, are amended to read as follows:

(a-1) The department ~~[state jail division]~~ shall allow the governor, members of the legislature, and officials of the executive and judicial branches to enter during business hours any part of a state jail felony facility operated by the department ~~[division]~~, for the purpose of observing the operations of the

department ~~[division]~~. A visitor described by this subsection may talk with defendants away from ~~[division]~~ employees of the state jail felony facility.

(b) The department ~~[state jail division]~~ shall establish a visitation policy for persons confined in state jail felony facilities. The visitation policy must:

(1) allow visitation by a guardian of a defendant confined in a state jail felony facility to the same extent as the defendant's next of kin, including placing the guardian on the defendant's approved visitors list on the guardian's request and providing the guardian access to the defendant during a facility's standard visitation hours if the defendant is otherwise eligible to receive visitors; and

(2) require the guardian to provide the director of the facility with letters of guardianship before being allowed to visit the defendant.

SECTION 56. Section 507.031, Government Code, is amended to read as follows:

Sec. 507.031. FURLOUGH PROGRAM. (a) The director of a state jail felony facility may grant a furlough to a defendant so that the defendant may:

(1) obtain a medical diagnosis or medical treatment;
(2) obtain treatment and supervision at a facility operated by the Health and Human Services Commission;

(3) attend a funeral or visit a critically ill relative; or

(4) participate in a programmatic activity sanctioned by the department ~~[state jail division]~~.

(b) The department ~~[state jail division]~~ shall adopt policies for the administration of the furlough program.

(c) A defendant furloughed under this section is considered to be in the custody of the department ~~[state jail division]~~, even if the defendant is not under physical guard while furloughed.

SECTION 57. Section 507.033, Government Code, is amended to read as follows:

Sec. 507.033. REHABILITATION PROGRAMS. (a) The department ~~[state jail division]~~ may allow a state jail defendant who is capable of serving as a tutor to tutor functionally illiterate defendants and shall actively encourage volunteer organizations to aid in the tutoring of defendants. A person who acts as a tutor may function only as a teacher and advisor to a defendant and may not exercise supervisory authority or control over the defendant.

(b) The department ~~[state jail division]~~ shall actively encourage volunteer organizations to provide the following programs for defendants who are housed in state jail felony facilities operated by or under contract with the department ~~[division]~~:

(1) literacy and education programs;
(2) life skills programs;
(3) job skills programs;
(4) parent-training programs;
(5) drug and alcohol rehabilitation programs;
(6) support group programs;
(7) arts and crafts programs; and
(8) other programs determined by the department ~~[division]~~ to aid defendants confined in state jail felony facilities in the transition from confinement or supervision back into society and to reduce incidents of recidivism among defendants.

SECTION 58. Section 508.036, Government Code, is amended by adding Subsection (a-1) to read as follows:

(a-1) A report under Subsection (a)(5) must include:
(1) the following information with respect to the release of inmates on medically recommended intensive supervision under Section 508.146 for the preceding 10-year period:

(A) the number of inmates released on medically recommended intensive supervision;

(B) an explanation of any trends;

(C) release revocation rates;

(D) types of modifications of conditions of release or graduated sanctions imposed; and

(E) the approval rate of inmates reviewed by a parole panel described by Section 508.146(e) for release on medically recommended intensive supervision;

(2) an evaluation of the consistency with which graduated sanctions are imposed for releasees or release on parole or mandatory supervision is revoked;

(3) an evaluation of the consistency with which special conditions are imposed under Subchapter I; and

(4) the rates of consensus between voting outcomes and hearing officer recommendations and between voting outcomes and other recommendations made by an employee authorized to make recommendations for special conditions and graduated sanctions.

SECTION 59. Section 508.0362, Government Code, is amended by amending Subsections (a) and (b) and adding Subsection (d) to read as follows:

(a) ~~[(1)]~~ A person who is appointed to and qualifies for office as a member of the board may not vote, deliberate, or be counted as a member in attendance at a meeting of the board until the person completes ~~[at least one course of]~~ a training program that complies with this section.

~~[(2)]~~ A parole commissioner employed by the board may not vote or deliberate on a matter described by Section 508.0441 until the person completes ~~[at least one course of]~~ a training program that complies with this section.

(b) The ~~[A]~~ training program must provide the person with information ~~[to the person]~~ regarding:

(1) the law governing board operations ~~[enabling legislation that created the board];~~

(2) the programs, functions, rules, and budget of ~~[operated by] the board;~~

(3) the scope of and limitations on the rulemaking authority ~~[role and functions] of the board [and parole commissioners];~~

(4) ~~[the rules of the board;~~

~~[(5) the current budget for the board;~~

~~[(6)] the results of the most recent formal audit of the board;~~

(5) ~~[(7)]~~ the requirements of ~~[the]~~:

(A) laws relating to open meetings, public information, administrative procedure, and disclosing conflicts of interest ~~[law, Chapter 551]; and~~

(B) other laws applicable to members of a state policy-making body in performing their duties ~~[open records law, Chapter 552, and~~

~~[(C) administrative procedure law, Chapter 2001,~~

~~[(8) the requirements of the conflict of interest laws and other laws relating to public officials]; and~~

(6) ~~[(9)]~~ any applicable ethics policies adopted by the board or the Texas Ethics Commission.

(d) The board administrator shall create a training manual that includes the information required by Subsection (b). The board administrator shall distribute a copy of the training manual annually to each board member and parole commissioner. Each board member and parole commissioner shall sign and submit to the board administrator a statement acknowledging that the person received and has reviewed the training manual.

SECTION 60. Subchapter B, Chapter 508, Government Code, is amended by adding Sections 508.0421 and 508.0455 to read as follows:

Sec. 508.0421. TRAINING PROGRAM ON MEDICALLY RECOMMENDED INTENSIVE SUPERVISION. (a) The board shall develop and provide a comprehensive training program on the release of inmates on medically recommended intensive supervision under Section 508.146 for board members and parole commissioners serving on a parole panel under that section. The program must include:

(1) background information on medically recommended intensive supervision; and

(2) training and education regarding:
 (A) statutory requirements and board rules for the consideration and release of inmates on medically recommended intensive supervision;

(B) the supervision of persons released on medically recommended intensive supervision, including information on:

(i) the imposition of graduated sanctions on a releasee for a violation of a condition of release; and

(ii) the imposition and modification of special conditions on a releasee; and

(C) the medical conditions affecting inmates who are eligible for medically recommended intensive supervision, including treatments for those conditions.

(b) In developing the training program, the board shall:

(1) use available data on medically recommended intensive supervision; and

(2) consult with the division and a practicing physician and psychiatrist as needed.

(c) The board shall develop a condensed version of the training program that includes only the training and education described by Subsection (a)(2).

(d) A member of a parole panel described by Section 508.146(e) may not participate in a vote of the panel related to the release of an inmate on medically recommended intensive supervision until the member completes the training program described by Subsection (a). Each member must complete the version of the training program described by Subsection (c) biennially after completing the initial training to remain eligible to participate in a vote of the panel related to the release of an inmate on medically recommended intensive supervision. The board shall inform each member of any subsequent changes to the training developed under Subsection (a) that are made after the member completes the training required by this subsection.

Sec. 508.0455. PAROLE PANEL DATA. (a) The board shall coordinate with the department to collect and analyze data on the release of inmates on parole, mandatory supervision, or medically recommended intensive supervision and the use of special conditions and graduated sanctions to evaluate outcomes and trends.

(b) Using the data collected under Subsection (a), the board shall determine a method for evaluating the consistency of revocation decisions across all three-voter parole panels.

(c) The board shall use its findings from the data collected under this section and the information described by Sections 508.036(a-1) and 508.1445(b) in developing the training required under Sections 508.041 and 508.042.

SECTION 61. Section 508.054(c), Government Code, is amended to read as follows:

(c) The board shall periodically notify the complaint parties of the status of the complaint until final disposition unless the notice would jeopardize an ongoing investigation.

SECTION 62. Section 508.113, Government Code, is amended by adding Subsection (e) to read as follows:

(e) The division may establish a waiver procedure for when the director is unable to appoint persons meeting the requirements established under Subsection (c).

SECTION 63. Section 508.1131, Government Code, is amended by amending Subsection (a) and adding Subsection (a-1) to read as follows:

(a) The Texas Board of Criminal Justice by rule [executive director] shall adopt a salary career ladder for parole officers. In adopting the salary career ladder, the Texas Board of Criminal Justice shall, in consultation with relevant stakeholders, review the current salary structure and align the salary career ladder with the future needs of the department.

(a-1) The Texas Board of Criminal Justice may revise the [The] salary career ladder as needed [must base a parole officer's salary on the officer's classification and years of service with the department].

SECTION 64. Section 508.1142, Government Code, is amended to read as follows:

Sec. 508.1142. PAROLE OFFICER MAXIMUM CASELOADS. (a) The Texas Board of Criminal Justice by rule ~~[department]~~ shall establish ~~[adopt a policy that establishes]~~ guidelines for a maximum caseload for a ~~[each]~~ parole officer ~~[of]~~:

~~[(1) 60 active releasees, if the releasees are not in a specialized program described by Subdivisions (2)-(6),~~

~~[(2) 35 active releasees, if the releasees are in the special needs offender program,~~

~~[(3) 35 active releasees, if the releasees are in the therapeutic community substance abuse aftercare treatment program,~~

~~[(4) 24 active releasees, if the releasees are in the sex offender program,~~

~~[(5) 20 active releasees, if the releasees are electronically monitored; and~~

~~[(6) 11 active releasees, if the releasees are in the super-intensive supervision program].~~

(b) The Texas Board of Criminal Justice:

(1) shall periodically review the guidelines established under Subsection (a) to ensure that the guidelines are achievable and informed by research-supported supervision practices; and

(2) may revise the guidelines as needed.

(c) The department shall conduct a job task analysis and workload study with respect to parole officers before the Texas Board of Criminal Justice adopts or amends the guidelines under this section [If the department is unable to meet the maximum caseload guidelines, the department shall submit a report to the Legislative Budget Board, at the end of each fiscal year in which the department fails to meet the guidelines, stating the amount of money needed by the department to meet the guidelines].

SECTION 65. Subchapter D, Chapter 508, Government Code, is amended by adding Sections 508.1143 and 508.120 to read as follows:

Sec. 508.1143. REPORT ON PAROLE SUPERVISION APPROACHES AND MAXIMUM CASELOADS. (a) Not later than September 1, 2026, the department, in consultation with relevant stakeholders, shall:

(1) review current parole supervision practices and caseload approaches; and

(2) submit a report on proposed parole supervision practices and caseload approaches, including proposed maximum caseloads for parole officers, to the Texas Board of Criminal Justice, the board, the governor, the lieutenant governor, the speaker of the house of representatives, and each standing committee of the legislature with primary jurisdiction over the department.

(b) The report must include:

(1) an evaluation of the current caseload identified as not being actively worked on by a parole officer, considering the assessed parole officer staffing needs; and

(2) the results of any department pilot project assessing changes to parole officer supervision practices and caseload approaches.

(c) A pilot project assessing supervision practices and caseload approach changes described by Subsection (b)(2) may not be implemented statewide before submission of the report required by Subsection (a)(2).

(d) This section expires September 1, 2027.

Sec. 508.120. PROHIBITION ON CERTAIN DIVISION ACTIONS INVOLVING SPECIAL CONDITIONS. The division may not:

(1) make recommendations regarding the imposition of a special condition before an inmate is released on parole or to mandatory supervision; or

(2) review the voting decisions of a parole panel with respect to the imposition of a special condition.

SECTION 66. Section 508.1445(b), Government Code, is amended to read as follows:

(b) The report must include:

(1) a brief explanation of the parole guidelines,

including how the board:

(A) defines the risk factors and offense severity levels; and

(B) determines the range of recommended parole approval rates for each guideline score;

(2) a comparison of the range of recommended parole approval rates under the parole guidelines to the actual approval rates for individual parole panel members, each regional three-voter parole panel [offices], and the state as a whole; ~~[and]~~

(3) a description of instances in which the actual parole approval rates, including rates for each regional three-voter parole panel, do not meet the range of recommended parole approval rates under the parole guidelines, an explanation of the variations, and a list of actions that the board has taken or will take to meet the guidelines; and

(4) information regarding the rates at which each regional three-voter parole panel imposes each special condition when approving release on parole and an explanation for any significant variations among the panels.

SECTION 67. Section 508.146, Government Code, is amended by amending Subsections (a), (b), (d), (e), and (f) and adding Subsections (a-1), (g), (h), (i), and (j) to read as follows:

(a) Subject to Subsection (b), an [An] inmate, other than an inmate who is serving a sentence of death or life without parole or an inmate who is not a citizen of the United States, as defined by federal law, may be released on medically recommended intensive supervision on a date designated by a parole panel described by Subsection (e) [except that an inmate with an instant offense that is an offense described in Article 42A.054, Code of Criminal Procedure, or an inmate who has a reportable conviction or adjudication under Chapter 62, Code of Criminal Procedure, may only be considered if a medical condition of terminal illness or long-term care has been diagnosed by a physician,] if:

(1) the Texas Correctional Office on Offenders with Medical or Mental Impairments, in cooperation with the Correctional Managed Health Care Committee, identifies the inmate as ~~[being]~~:

(A) being [a person who is] elderly, regardless of whether the inmate has a condition described in Paragraphs (B)-(H);

(B) being [or] terminally ill;

(C) having[_T] a [person with] mental illness;

(D) having[_T] an intellectual disability[_T] or a physical disability;

(E) having[, or a person who has] a condition requiring long-term care[_T, if the inmate is an inmate with an instant offense that is described in Article 42A.054, Code of Criminal Procedure]; [or]

(F) being [~~(B)~~] in a persistent vegetative state;
[or]

(G) having [being a person with] an organic brain syndrome with significant to total mobility impairment; or

(H) having another eligible medical condition as prescribed by board rule[_T, if the inmate is an inmate who has a reportable conviction or adjudication under Chapter 62, Code of Criminal Procedure];

(2) the parole panel determines that, based on the inmate's condition and a medical evaluation, the inmate does not constitute a threat to public safety; and

(3) the inmate's medically recommended intensive supervision plan under Subsection (a-1) is approved by the Texas Correctional Office on Offenders with Medical or Mental Impairments.

(a-1) The [the] Texas Correctional Office on Offenders with Medical or Mental Impairments, in cooperation with the [pardons and paroles] division, shall prepare [has prepared] for an [the] inmate who is eligible for release under Subsection (a) a medically recommended intensive supervision plan that requires the inmate to submit to electronic monitoring, places the inmate on super-intensive supervision, or otherwise ensures appropriate

supervision of the inmate.

(b) In addition to the requirements of Subsection (a), the following inmates may be released on medically recommended intensive supervision under that subsection only if the inmates are identified under Subsection (a)(1) as:

(1) having a condition described by Subsection (a)(1)(B) or (E), if the inmate has an instant offense that is described in Article 42A.054, Code of Criminal Procedure; or

(2) being in or having a condition described by Subsection (a)(1)(F) or (G), if the inmate has a reportable conviction or adjudication under Chapter 62, Code of Criminal Procedure ~~[An inmate may be released on medically recommended intensive supervision only if the inmate's medically recommended intensive supervision plan under Subsection (a)(3) is approved by the Texas Correctional Office on Offenders with Medical or Mental Impairments].~~

(d) The Texas Correctional Office on Offenders with Medical or Mental Impairments may ~~[and the Texas Department of Human Services shall jointly]~~ request proposals from public or private vendors to provide under contract services for inmates released on medically recommended intensive supervision. A request for proposals under this subsection may require that the services be provided in a medical care facility located in an urban area. For the purposes of this subsection, "urban area" means the area in this state within a metropolitan statistical area, according to the standards of the United States Bureau of the Census.

(e) Parole ~~[Only parole]~~ panels composed of board members and parole commissioners ~~[the presiding officer of the board and two members]~~ appointed to the panel by the presiding officer may make determinations regarding the release of inmates on medically recommended intensive supervision under Subsection (a) or of inmates released pending deportation under Subsection (f). If the Texas Correctional Office ~~[Council]~~ on Offenders with Medical or Mental Impairments identifies an inmate as a candidate for release under the guidelines established by Subsection (a)(1), (b), or (f)(1), as applicable, the office ~~[council]~~ shall present to a parole panel described by this subsection relevant information concerning the inmate and the inmate's potential for release under this section.

(f) An inmate who is not a citizen of the United States, as defined by federal law, who is not under a sentence of death or life without parole, and who does not have a reportable conviction or adjudication under Chapter 62, Code of Criminal Procedure, or an instant offense described in Article 42A.054, Code of Criminal Procedure, may be released to immigration authorities pending deportation on a date designated by a parole panel described by Subsection (e) if:

(1) the Texas Correctional Office on Offenders with Medical or Mental Impairments, in cooperation with the Correctional Managed Health Care Committee, identifies the inmate as being in or having a condition described by Subsection (a)(1); and

(2) the parole panel determines that on release the inmate would be deported to another country and that the inmate does not constitute a threat to public safety in the other country or this country and is unlikely to reenter this country illegally.

(g) The board shall adopt rules to administer this section. The rules must:

(1) specify the procedures for evaluating the prognosis of inmates who are eligible for medically recommended intensive supervision under Subsection (a) because of a qualifying medical condition;

(2) specify the factors, other than an inmate's condition, that are relevant or statutorily required to release an inmate on medically recommended intensive supervision; and

(3) define what constitutes a threat to public safety for purposes of Subsections (a)(2) and (f) and specify the factors that a parole panel described by Subsection (e) must consider when determining whether an inmate constitutes a threat to public safety.

(h) The procedures described by Subsection (g)(1) must:
(1) require a review of the inmate's condition by at
least one health care practitioner; and

(2) require each health care practitioner who reviews
an inmate's condition as described by Subdivision (1) to provide
the parole panel described by Subsection (e), before the panel
makes a final determination under this section, a written report on
the inmate's condition that:

(A) is in plain language that is understandable
by a nonmedical professional;

(B) specifically describes how the inmate's
condition and treatment for the condition will affect the inmate's
cognitive and physical abilities and limitations; and

(C) contains other information as required by the
board.

(i) The board may consult with other relevant entities for
purposes of establishing information required in the report under
Subsection (h)(2)(C) including:

(1) the Correctional Managed Health Care Committee;

(2) the division;

(3) the Texas Correctional Office on Offenders with
Medical or Mental Impairments;

(4) the Texas Tech University Health Sciences Center;
and

(5) The University of Texas Medical Branch at
Galveston.

(j) Information regarding the identity of a health care
practitioner providing a report described by Subsection (h)(2),
other than information relating to the practitioner's
specialization, is excepted from required disclosure under Chapter
552. The board may release the information or redact or otherwise
withhold the information from disclosure under Chapter 552.

SECTION 68. Section 508.152, Government Code, is amended by
adding Subsection (b-3) to read as follows:

(b-3) For purposes of Subsection (b-1)(1), an inmate's
individual treatment plan must include a comprehensive list, in
plain language, of the inmate's program participation that:

(1) includes:

(A) state-funded programs;

(B) intensive volunteer programs; and

(C) program enrollment and completion dates; and

(2) distinguishes between required evidence-based
programs and correctional elective programs and activities that are
non-evidence based or non-evidence informed.

SECTION 69. Subchapter E, Chapter 508, Government Code, is
amended by adding Sections 508.1521 and 508.158 to read as follows:

Sec. 508.1521. REQUIRED INDIVIDUAL TREATMENT PLAN PROGRAMS
AND PAROLE-VOTED PROGRAMS. (a) In this section:

(1) "Parole-voted program" means a program or class
that the board intends to require an inmate to complete before
releasing the inmate on parole or to mandatory supervision.

(2) "Required individual treatment plan program"
means a program or class that is required to be included in an
inmate's individual treatment plan under Section 508.152 other than
a parole-voted program.

(b) The department, the board, and the Windham School
District shall:

(1) develop evidence-based program criteria specific
to required individual treatment plan programs and parole-voted
programs to be used in evaluating and assessing those programs;

(2) develop and maintain a required individual
treatment plan programs list and a parole-voted programs list,
provided that a non-evidence-based or non-evidence-informed
program may not be included on either list;

(3) develop procedures for:

(A) evaluating programs to be added to the
required individual treatment plan programs list or the
parole-voted programs list;

(B) assessing current required individual

treatment plan programs and parole-voted programs; and

(C) removing programs that do not meet the criteria developed under Subdivision (1) from the lists of required individual treatment plan programs and parole-voted programs; and

(4) coordinate on required individual treatment plan and parole-voted programming options through regular meetings.

(c) In developing and maintaining the required individual treatment plan programs list, the department and the Windham School District have joint authority to decide which programs are included on the required individual treatment plan list.

(d) In developing and maintaining the parole-voted programs list, the department and the Windham School District shall present programming options and program evaluation results to the board, provided that the board has the sole authority to decide which programs are included on the parole-voted programs list.

(e) The department shall:

(1) collect and analyze parole-voted program data on a rolling basis, including:

(A) the number of inmates waiting for placement into a program;

(B) the waitlist times for placement into a program;

(C) the reasons for program placement delays, other than delays due to a program start date specified by the board;

(D) vote revision requests related to program ineligibility, placement delays, and other factors that may affect parole release timelines; and

(E) the number of inmates unable to complete parole-voted programs before the earliest date on which the inmates would have been eligible to be released following program completion;

(2) use the data described by Subdivision (1) to:

(A) calculate parole-voted program waitlist times;

(B) track and reduce parole-voted program enrollment timelines; and

(C) work to eliminate parole-voted program placement delays; and

(3) include the data and analysis described by Subdivision (1) in the strategic plan required under Section 501.104.

(f) The department shall prioritize the placement of inmates into parole-voted programs, ensure parole-voted program capacity meets programming needs, and expand parole-voted program access in accordance with the strategic plan required under Section 501.104.

Sec. 508.158. SPECIAL CONDITIONS WORK GROUP. (a) The board and department shall jointly establish a work group consisting of board members and parole commissioners who actively serve on a parole panel and staff representatives from the division to assess the impact and effectiveness of special conditions.

(b) The work group shall:

(1) discuss the efficacy of special conditions;

(2) assess the continuing need for the use of specific special conditions; and

(3) identify potential modifications to special conditions for the board to consider adopting.

(c) In discussing the efficacy of special conditions under Subsection (b), the work group shall solicit input from parole officers and other relevant parties.

(d) The work group shall meet annually.

SECTION 70. Subchapter F, Chapter 508, Government Code, is amended by adding Section 508.1831 to read as follows:

Sec. 508.1831. POSTSECONDARY EDUCATION REIMBURSEMENT. (a) A parole panel shall require as a condition of parole or mandatory supervision that a releasee who had the cost of tuition and fees paid through a postsecondary education reimbursement program for enrollment in courses during the releasee's confinement in the

department reimburse the department for those costs.

(b) The department may not charge interest for repayment of costs under this section.

(c) In a parole or mandatory supervision revocation hearing under Section 508.281 at which it is alleged only that the releasee failed to make a payment under this section, it is an affirmative defense to revocation that the releasee is unable to pay the amount required by the department. The releasee must prove the affirmative defense by a preponderance of the evidence.

SECTION 71. Section 511.017, Government Code, is amended to read as follows:

Sec. 511.017. DUTIES RELATED TO STATE JAIL FELONY FACILITIES. (a) In this section, "state[+]

~~[(1) "State jail division" means the state jail division of the Texas Department of Criminal Justice.~~

~~[(2) "State] jail felony facility" means a state jail felony facility authorized by Subchapter A, Chapter 507.~~

(b) The commission shall provide the Texas Department of Criminal Justice ~~[state jail division]~~ with consultation and technical assistance relating to the operation and construction of state jail felony facilities.

SECTION 72. Section 659.015(k), Government Code, is amended to read as follows:

(k) Compensatory time off to which an employee of the Texas Department of Criminal Justice is entitled under Subsection (f):

(1) must be taken during the 24-month period following the end of the workweek in which the compensatory time was accrued; and

(2) if not taken during the period described by Subdivision (1), shall be credited to the employee's accumulated vacation leave for purposes of Chapter 661 ~~[or it lapses]~~.

SECTION 73. Section 661.152(b), Government Code, is amended to read as follows:

(b) The amount of vacation accrues in accordance with this subchapter and Section 659.015(k) and may be taken in accordance with this subchapter.

SECTION 74. Sections 614.002(a) and (e), Health and Safety Code, are amended to read as follows:

(a) The Advisory Committee to the Texas Board of Criminal Justice on Offenders with Medical or Mental Impairments is composed of 27 ~~[28]~~ members.

(e) The executive head of each of the following agencies, divisions of agencies, or associations, or that person's designated representative, shall serve as a member of the committee:

(1) the correctional institutions division of the Texas Department of Criminal Justice;

(2) the Department of State Health Services;

(3) the parole division of the Texas Department of Criminal Justice;

(4) the community justice assistance division of the Texas Department of Criminal Justice;

(5) the Texas Juvenile Justice Department;

(6) the Texas Workforce Commission ~~[Department of Assistive and Rehabilitative Services]~~;

(7) the Correctional Managed Health Care Committee;

(8) Mental Health America of Texas;

(9) the Board of Pardons and Paroles;

(10) the Texas Commission on Law Enforcement;

(11) the Texas Council of Community Centers;

(12) the Commission on Jail Standards;

(13) the Texas Council for Developmental Disabilities;

(14) the Arc of Texas;

(15) the National Alliance on Mental Illness of Texas;

(16) the Texas Veterans Commission ~~[Parent Association for the Retarded of Texas, Inc.]~~; and

(17) the Health and Human Services Commission~~[, and~~

~~[(18) the Department of Aging and Disability Services].~~

SECTION 75. Section 614.009, Health and Safety Code, is amended to read as follows:

Sec. 614.009. BIENNIAL REPORT. Not later than December ~~February~~ 1 of each even-numbered ~~odd-numbered~~ year, the office shall present to the board and file with the governor, lieutenant governor, and speaker of the house of representatives a report giving the details of the office's activities during the preceding biennium. The report must include:

(1) an evaluation of any demonstration project undertaken by the office;

(2) an evaluation of the progress made by the office toward developing a plan for meeting the treatment, rehabilitative, and educational needs of offenders with special needs;

(3) information on the provision of services under Section 614.021 to wrongfully imprisoned persons;

(4) recommendations of the office made in accordance with Section 614.007(5);

(5) ~~(4)~~ an evaluation of the development and implementation of the continuity of care and service programs established under Sections 614.013, 614.014, 614.015, 614.016, and 614.018, changes in rules, policies, or procedures relating to the programs, future plans for the programs, and any recommendations for legislation; and

(6) ~~(5)~~ any other recommendations that the office considers appropriate.

SECTION 76. Section 614.013(b), Health and Safety Code, is amended to read as follows:

(b) The memorandum of understanding must establish methods for:

(1) identifying offenders with mental impairments in the criminal justice system and collecting and reporting prevalence rate data to the office;

(2) developing interagency rules, policies, procedures, and standards for the coordination of care of and the exchange of information on offenders with mental impairments by local and state criminal justice agencies, the Department of State Health Services and the Health and Human Services Commission ~~[Department of Aging and Disability Services]~~, local mental health or intellectual and developmental disability authorities, the Commission on Jail Standards, and local jails;

(3) identifying the services needed by offenders with mental impairments to reenter the community successfully; and

(4) establishing a process to report implementation activities to the office.

SECTION 77. Section 614.014, Health and Safety Code, is amended to read as follows:

Sec. 614.014. CONTINUITY OF CARE FOR ELDERLY OFFENDERS.

(a) The Texas Department of Criminal Justice, the Texas Workforce Commission, and the executive commissioner by rule shall adopt a memorandum of understanding that establishes the respective responsibilities of the Texas Department of Criminal Justice, the Department of State Health Services, the Health and Human Services Commission ~~[Department of Aging and Disability Services]~~, and the Texas Workforce Commission ~~[Department of Assistive and Rehabilitative Services]~~ to institute a continuity of care and service program for elderly offenders in the criminal justice system. The office shall coordinate and monitor the development and implementation of the memorandum of understanding.

(b) The memorandum of understanding must establish methods for:

(1) identifying elderly offenders in the criminal justice system;

(2) developing interagency rules, policies, and procedures for the coordination of care of and the exchange of information on elderly offenders by local and state criminal justice agencies, the Department of State Health Services, the Health and Human Services Commission ~~[Department of Aging and Disability Services]~~, and the Texas Workforce Commission ~~[Department of Assistive and Rehabilitative Services]~~; and

(3) identifying the services needed by elderly offenders to reenter the community successfully.

(c) The Texas Department of Criminal Justice, the Department of State Health Services, the Health and Human Services Commission [~~Department of Aging and Disability Services~~], and the Texas Workforce Commission [~~Department of Assistive and Rehabilitative Services~~] shall:

(1) operate the continuity of care and service program for elderly offenders in the criminal justice system with funds appropriated for that purpose; and

(2) actively seek federal grants or funds to operate and expand the program.

SECTION 78. Section 614.015, Health and Safety Code, is amended to read as follows:

Sec. 614.015. CONTINUITY OF CARE FOR OFFENDERS WITH PHYSICAL DISABILITIES, TERMINAL ILLNESSES, OR SIGNIFICANT ILLNESSES. (a) The Texas Department of Criminal Justice, the Texas Workforce Commission, and the executive commissioner by rule shall adopt a memorandum of understanding that establishes the respective responsibilities of the Texas Department of Criminal Justice, the Texas Workforce Commission [~~Department of Assistive and Rehabilitative Services~~], the Department of State Health Services, and the Health and Human Services Commission [~~Department of Aging and Disability Services~~] to institute a continuity of care and service program for offenders in the criminal justice system who are persons with physical disabilities, terminal illnesses, or significant illnesses. The council shall coordinate and monitor the development and implementation of the memorandum of understanding.

(b) The memorandum of understanding must establish methods for:

(1) identifying offenders in the criminal justice system who are persons with physical disabilities, terminal illnesses, or significant illnesses;

(2) developing interagency rules, policies, and procedures for the coordination of care of and the exchange of information on offenders who are persons with physical disabilities, terminal illnesses, or significant illnesses by local and state criminal justice agencies, the Texas Department of Criminal Justice, the Texas Workforce Commission [~~Department of Assistive and Rehabilitative Services~~], the Department of State Health Services, and the Health and Human Services Commission [~~Department of Aging and Disability Services~~]; and

(3) identifying the services needed by offenders who are persons with physical disabilities, terminal illnesses, or significant illnesses to reenter the community successfully.

(c) The Texas Department of Criminal Justice, the Texas Workforce Commission [~~Department of Assistive and Rehabilitative Services~~], the Department of State Health Services, and the Health and Human Services Commission [~~Department of Aging and Disability Services~~] shall:

(1) operate, with funds appropriated for that purpose, the continuity of care and service program for offenders in the criminal justice system who are persons with physical disabilities, terminal illnesses, or significant illnesses; and

(2) actively seek federal grants or funds to operate and expand the program.

SECTION 79. Section 614.017(c)(1), Health and Safety Code, is amended to read as follows:

(1) "Agency" includes any of the following entities and individuals, a person with an agency relationship with one of the following entities or individuals, and a person who contracts with one or more of the following entities or individuals:

(A) the Texas Department of Criminal Justice and the Correctional Managed Health Care Committee;

(B) the Board of Pardons and Paroles;

(C) the Department of State Health Services;

(D) the Texas Juvenile Justice Department;

(E) the Texas Workforce Commission [~~Department~~]

~~of Assistive and Rehabilitative Services];~~

(F) the Texas Education Agency;

(G) the Commission on Jail Standards;

(H) ~~[the Department of Aging and Disability Services];~~

~~[(I)]~~ the Texas School for the Blind and Visually Impaired;

(I) ~~[(J)]~~ community supervision and corrections departments and local juvenile probation departments;

(J) ~~[(K)]~~ personal bond pretrial release offices established under Article 17.42, Code of Criminal Procedure;

(K) ~~[(L)]~~ local jails regulated by the Commission on Jail Standards;

(L) ~~[(M)]~~ a municipal or county health department;

(M) ~~[(N)]~~ a hospital district;

(N) ~~[(O)]~~ a judge of this state with jurisdiction over juvenile or criminal cases;

(O) ~~[(P)]~~ an attorney who is appointed or retained to represent a special needs offender or a juvenile with a mental impairment;

(P) ~~[(Q)]~~ the Health and Human Services Commission;

(Q) ~~[(R)]~~ the Department of Information Resources;

(R) ~~[(S)]~~ the bureau of identification and records of the Department of Public Safety, for the sole purpose of providing real-time, contemporaneous identification of individuals in the Department of State Health Services client data base; and

(S) ~~[(T)]~~ the Department of Family and Protective Services.

SECTION 80. Sections 614.018(a) and (b), Health and Safety Code, are amended to read as follows:

(a) The Texas Juvenile Justice Department, the Department of Public Safety, the Department of State Health Services, the Health and Human Services Commission ~~[Department of Aging and Disability Services]~~, the Department of Family and Protective Services, the Texas Education Agency, and local juvenile probation departments shall adopt a memorandum of understanding that establishes their respective responsibilities to institute a continuity of care and service program for juveniles with mental impairments in the juvenile justice system. The Texas Correctional Office on Offenders with Medical and Mental Impairments shall coordinate and monitor the development and implementation of the memorandum of understanding.

(b) The memorandum of understanding must establish methods for:

(1) identifying juveniles with mental impairments in the juvenile justice system and collecting and reporting relevant data to the office;

(2) developing interagency rules, policies, and procedures for the coordination of care of and the exchange of information on juveniles with mental impairments who are committed to or treated, served, or supervised by the Texas Juvenile Justice Department, the Department of Public Safety, the Department of State Health Services, the Department of Family and Protective Services, the Health and Human Services Commission ~~[Department of Aging and Disability Services]~~, the Texas Education Agency, local juvenile probation departments, local mental health or intellectual and developmental disability authorities, and independent school districts; and

(3) identifying the services needed by juveniles with mental impairments in the juvenile justice system.

SECTION 81. Section 841.005, Health and Safety Code, is amended to read as follows:

Sec. 841.005. TEXAS BOARD OF CRIMINAL JUSTICE ~~[OFFICE OF STATE COUNSEL FOR OFFENDERS]~~. (a) In this section, "board" means the Texas Board of Criminal Justice.

(b) Except as provided by Subsection (d) ~~[(b)]~~, the board

~~[Office of State Counsel for Offenders]~~ shall provide representation for ~~[represent]~~ an indigent person subject to a civil commitment proceeding under this chapter.

(c) In providing representation for indigent persons described by Subsection (b):

(1) the board may employ attorneys, support staff, and any other personnel required to provide the representation;

(2) personnel employed under Subdivision (1) are directly responsible to the board in the performance of their duties; and

(3) the board shall pay all fees and costs associated with providing the representation.

(d) ~~[(b)]~~ If for any reason the board ~~[Office of State Counsel for Offenders]~~ is unable to provide representation for ~~[represent]~~ an indigent person described by Subsection (b) ~~[(a)]~~ at a civil commitment proceeding under this chapter, the court shall appoint other counsel to represent the indigent person.

SECTION 82. Section 306.007(b), Labor Code, is amended to read as follows:

(b) The commission shall adopt a memorandum of understanding with each of the following agencies that establishes the respective responsibilities of the commission and the agencies in providing information described by Subsection (a) to persons formerly sentenced to the custody ~~[institutional division or the state jail division]~~ of the Texas Department of Criminal Justice, to employers or potential employers of those persons, and to local workforce development boards:

(1) the Department of State Health Services;
(2) the Texas Department of Housing and Community Affairs;

(3) the Texas Veterans Commission; and
(4) the Health and Human Services Commission.

SECTION 83. The following provisions are repealed:

(1) Article 66.352(b), Code of Criminal Procedure;
(2) Section 491.001(a)(8), Government Code;
(3) Section 493.0051, Government Code;
(4) Section 494.011, Government Code;
(5) Section 497.111, Government Code;
(6) Section 499.106, Government Code;
(7) Section 499.107, Government Code;
(8) Section 501.062(c), Government Code;
(9) Section 507.003, Government Code;
(10) Section 507.004, Government Code;
(11) Sections 508.1131(b) and (c), Government Code;

and

(12) Section 614.021(c), Health and Safety Code.

SECTION 84. The change in law made by this Act to Section 492.002, Government Code, does not affect the entitlement of a member serving on the Texas Board of Criminal Justice before the effective date of this Act to continue to serve for the remainder of the member's term. As the terms of members expire, the governor shall appoint or reappoint members who have the qualifications required by Section 492.002(a), Government Code, as amended by this Act.

SECTION 85. (a) Sections 492.0031, 501.140, and 508.0362, Government Code, as amended by this Act, apply to a member of the Texas Board of Criminal Justice, the Correctional Managed Health Care Committee, or the Board of Pardons and Paroles, as applicable, appointed before, on, or after the effective date of this Act.

(b) A member of the Texas Board of Criminal Justice, the Correctional Managed Health Care Committee, or the Board of Pardons and Paroles who, before the effective date of this Act, completed the training program required by Section 492.0031, 501.140, or 508.0362, Government Code, as that law existed before the effective date of this Act, is only required to complete additional training on the subjects added by this Act to the training program required by Section 492.0031, 501.140, or 508.0362, Government Code, as applicable. A member described by this subsection may not vote, deliberate, or be counted as a member in attendance at a meeting of

the applicable board or committee held on or after December 1, 2025, until the member completes the additional training.

SECTION 86. (a) Section 508.0362, Government Code, as amended by this Act, applies to a parole commissioner employed by the Board of Pardons and Paroles before, on, or after the effective date of this Act.

(b) A parole commissioner who, before the effective date of this Act, completed the training program required by Section 508.0362, Government Code, as that law existed before the effective date of this Act, is only required to complete additional training on the subjects added by this Act to the training program required by that section. A parole commissioner described by this subsection may not vote or deliberate on a matter described by Section 508.0441, Government Code, occurring on or after December 1, 2025, until the member completes the additional training.

SECTION 87. Section 659.015(k), Government Code, as amended by this Act, applies to compensatory time accrued by an employee of the Texas Department of Criminal Justice before, on, or after the effective date of this Act.

SECTION 88. As soon as practicable after the effective date of this Act:

(1) the Texas Board of Criminal Justice shall adopt the rules required by Sections 499.101(a), 508.1131, and 508.1142, Government Code, as amended by this Act; and

(2) the Board of Pardons and Paroles shall adopt the rules required by Section 508.146(g), Government Code, as added by this Act.

SECTION 89. (a) Not later than December 1, 2025, the Board of Pardons and Paroles shall make the training required by Section 508.0421, Government Code, as added by this Act, available to board members and parole commissioners described by Subsection (a) of that section.

(b) Notwithstanding Section 508.0421(d), Government Code, as added by this Act, a board member or parole commissioner to whom that section applies is not required to complete the training required by that section until December 1, 2025.

SECTION 90. Not later than September 1, 2026:

(1) the Texas Department of Criminal Justice and the Windham School District shall develop the strategic plan required by Section 501.104, Government Code, as added by this Act; and

(2) the Texas Department of Criminal Justice shall revise each inmate's individual treatment plan as necessary to conform to the requirements of Section 508.152(b-3), Government Code, as added by this Act.

SECTION 91. The Board of Pardons and Paroles is not required to comply with the changes in law made by this Act to Sections 508.036 and 508.1445, Government Code, until September 1, 2026.

SECTION 92. It is the intent of the 89th Legislature, Regular Session, 2025, that the amendments made by this Act be harmonized with another Act of the 89th Legislature, Regular Session, 2025, relating to nonsubstantive additions to and corrections in enacted codes.

SECTION 93. This Act takes effect September 1, 2025.

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