

## **BILL ANALYSIS**

C.S.H.B. 2189  
By: Parker  
Corrections  
Committee Report (Substituted)

### **BACKGROUND AND PURPOSE**

Interested parties have observed that offenders confined in Texas Department of Criminal Justice facilities who possess an intellectual disability or are of borderline intellectual functioning may lack a safe living environment or programs for treating their conditions and providing effective rehabilitation services. C.S.H.B. 2189 seeks to ensure a safe living environment with specialized programs and treatment for these developmentally disabled offenders.

### **CRIMINAL JUSTICE IMPACT**

It is the committee's opinion that this bill does not expressly create a criminal offense, increase the punishment for an existing criminal offense or category of offenses, or change the eligibility of a person for community supervision, parole, or mandatory supervision.

### **RULEMAKING AUTHORITY**

It is the committee's opinion that this bill does not expressly grant any additional rulemaking authority to a state officer, department, agency, or institution.

### **ANALYSIS**

C.S.H.B. 2189 amends the Government Code to require the Texas Department of Criminal Justice (TDCJ) to establish and maintain a program for inmates and state jail defendants confined in a correctional facility who are suspected of or identified as having an intellectual disability or borderline intellectual functioning and whose adaptive functioning is significantly impaired. The bill requires the program to provide such an offender with a safe environment while confined and specialized programs, treatments, and activities designed by TDCJ to assist the offender in effectively managing, treating, or accommodating the offender's intellectual disability or borderline intellectual functioning. The bill authorizes TDCJ to accept gifts, awards, or grants for the purpose of providing such services.

### **EFFECTIVE DATE**

September 1, 2015.

### **COMPARISON OF ORIGINAL AND SUBSTITUTE**

C.S.H.B. 2189 differs from the original in minor or nonsubstantive ways by conforming to certain bill drafting conventions.