

BILL ANALYSIS

C.S.H.B. 3015
By: Talarico
Corrections
Committee Report (Substituted)

BACKGROUND AND PURPOSE

Concerns have been raised regarding the lack of educational opportunities available to individuals who have not graduated high school and are serving a prison sentence in a correctional facility. It has been suggested that access to education for these individuals could be the difference between rehabilitation and recidivism upon release. C.S.H.B. 3015 seeks to address this issue by ensuring that certain inmates in correctional facilities receive educational instruction.

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 rulemaking authority is expressly granted to the Texas Board of Criminal Justice in SECTION 1 of this bill.

ANALYSIS

C.S.H.B. 3015 amends the Education Code to require the Windham School District to provide to each person confined or imprisoned in the Texas Department of Criminal Justice (TDCJ) who is not a high school graduate and is younger than 19 years of age or, if the person would be eligible to receive special education services, younger than 22 years of age an educational program that includes the curriculum that each public school district that offers kindergarten through grade 12 is required to provide, unless providing the educational program poses a significant safety threat to instructors. The bill authorizes the Texas Board of Criminal Justice to adopt rules as necessary to implement this provision.

EFFECTIVE DATE

September 1, 2019.

COMPARISON OF ORIGINAL AND SUBSTITUTE

While C.S.H.B. 3015 may differ from the original in minor or nonsubstantive ways, the following summarizes the substantial differences between the introduced and committee substitute versions of the bill.

The substitute changes the entity required to provide the educational program from TDCJ to the Windham School District. The substitute does not include an authorization for TDCJ to enter into an agreement with the district for such purposes or a requirement for the Texas Education Agency to collaborate with TDCJ in providing necessary materials for instruction.

The substitute changes the persons to whom the educational program is provided from each inmate who is younger than 18 years of age to each person confined or imprisoned in TDCJ who is not a high school graduate and is younger than 19 years of age or, if the person would be eligible to receive special education services, younger than 22 years of age.