

BILL ANALYSIS

Senate Research Center
77R751 GWK-D

H.B. 123
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Criminal Justice
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Engrossed

DIGEST AND PURPOSE

Currently, a large number of inmates in Texas prisons lack a high school education. The institutional division of the Texas Department of Criminal Justice (department) currently operates a program to teach reading to illiterate inmates housed in its facilities. Illiterate inmates are required to receive reading instruction for a certain number of hours per week. No such requirement exists for inmates to participate in a program to receive a high school general equivalency certificate while housed in the department facilities. H.B. 123 requires certain inmates of the department without a high school diploma or certificate to participate in a program designed to help the inmate earn a high school general equivalency certificate.

RULEMAKING AUTHORITY

This bill does not expressly grant any additional rulemaking authority to a state officer, institution, or agency.

SECTION BY SECTION ANALYSIS

SECTION 1. Amends Chapter 501A, Government Code, by adding Section 501.0051, as follows:

Sec. 501.0051. EDUCATION REQUIRED. (a) Requires the Texas Department of Criminal Justice (department) to require an inmate who does not hold a high school diploma or general equivalency certificate to participate in available educational programming designed to help the inmate to earn a general equivalency certificate.

(b) Provides that this section does not apply to an inmate confined on death row or confined in administrative segregation or close custody. Authorizes the department to waive the educational requirement imposed by this section on an inmate if the department determines that the inmate lacks the learning ability to earn a certificate.

(c) Authorizes the department to limit participation in an educational program based on the capacity of the program and to assign inmates to participate on the basis of the inmates' release dates, using the department's individualized treatment plans.

SECTION 2. Effective date: September 1, 2001.