

## **BILL ANALYSIS**

Senate Research Center

H.B. 3226  
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Criminal Justice  
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Engrossed

### **AUTHOR'S / SPONSOR'S STATEMENT OF INTENT**

Currently, the Texas Department of Criminal Justice (TDCJ) requires that all offenders approved for parole have a verifiable address prior to release. TDCJ contracts for seven halfway houses and two county jails for offenders who do not have an approved address. These halfway houses and county jail beds used as halfway house beds remain at maximum contract capacity. As a result, there are 200-300 offenders who have been approved for parole and who are waiting in prison for an available halfway house bed, and at several times in the past, there have been more than 600 offenders waiting for available community beds. In addition, the available beds often are not near the county of residence of many offenders, making re-entry into a community difficult, limiting the offender's ability to secure employment, and making reconnecting with a support system hundreds of miles away an almost impossible feat.

H.B. 3226 authorizes TDCJ to use money from appropriated released inmate residential funds to issue vouchers or debit cards to pay for temporary housing for inmates eligible for release on parole or to mandatory supervision. The bill requires the executive director of TDCJ to adopt rules to implement the issuance of the voucher or debit card.

### **RULEMAKING AUTHORITY**

Rulemaking authority is expressly granted to the executive director of the Texas Department of Criminal Justice in SECTION 1 (Section 508.157, Government Code) of this bill.

### **SECTION BY SECTION ANALYSIS**

SECTION 1. Amends Subchapter E, Chapter 508, Government Code, by adding Section 508.157, as follows:

Sec. 508.157. TEMPORARY HOUSING ON RELEASE. (a) Provides that this section applies only to inmates who are eligible for release on parole or to mandatory supervision and to releasees.

(b) Authorizes the Texas Department of Criminal Justice (TDCJ) to issue payment for the cost of temporary post-release housing for an inmate described by Subsection (a) or for a releasee that meets any conditions or requirements imposed by a parole panel and is located in the county of legal residence of the inmate or releasee.

(c) Prohibits the amount of payment issued under Subsection (b) from exceeding an amount that is equal to the cost TDCJ would incur to incarcerate the inmate for the period for which the payment is issued.

(d) Requires TDCJ to issue payment under Subsection (b) out of funds appropriated by the legislature to TDCJ for use in administering the parole system with respect to the housing of inmates on their release.

(e) Require the executive director of TDCJ to adopt rules as necessary to implement this section, including rules that ensure that the food, hygiene, and clothing needs of an inmate or releasee on whose behalf payment is issued under this section are adequately met during the period for which the payment is issued.

(f) Requires TDCJ, not later than September 30, 2010, for the first report and September 30, 2011, for the second report, to submit to the Criminal Justice Legislative Oversight Committee a report that covers the period of August 1 of the year preceding the year in which the report is submitted through September 1 of the year in which the report is submitted and that includes the total number of inmates and releasees on whose behalf payment is issued under this section; the total dollar amount of payments issued under this section; and the county of release and the county of legal residence of each inmate or releasee on whose behalf payment is issued under this section.

(g) Provides that this subsection and Subsection (f) expire January 1, 2012.

SECTION 2. Amends Section 508.141(e), Government Code, to authorize a parole panel to release an inmate on parole only under certain conditions, including when arrangements have been made for the inmate's employment or for the inmate's maintenance and care, which may include the issuance of payment for the cost of temporary post-release housing under Section 508.157.

SECTION 3. Requires the executive director of TDCJ to adopt the rules required by Section 508.157, Government Code, as added by this Act, not later than January 1, 2010.

SECTION 4. Makes application of this Act prospective to January 1, 2010.

SECTION 5. Effective date: upon passage or September 1, 2009.