

BILL ANALYSIS

Senate Research Center

H.B. 3649
By: Marquez et al. (Whitmire)
Criminal Justice
5/17/2009
Engrossed

AUTHOR'S / SPONSOR'S STATEMENT OF INTENT

Currently, Texas Department of Criminal Justice (TDCJ) policies only allow bookstores, publishers, or publication suppliers to provide books directly to inmates. Inmates are unable to receive books directly from volunteer organizations. This lack of resource material serves as a hindrance to successful reintegration as these resources many times serve as GED and career resources. Education and employment are vital to reducing recidivism. As such, the availability of books plays a vital role to ensuring successful reintegration.

The purpose of this bill is to assist inmates in their transition to successful re-entry by offering reference and educational material that may not otherwise be available to them by requiring TDCJ to establish a policy that permits an inmate to receive by mail reference books and other educational materials from a volunteer organization.

H.B. 3649 grants TDCJ the ability to define what constitutes a "reference book" or "educational material." This bill authorizes TDCJ to designate certain inmates as ineligible to receive such benefits if such receipt poses a risk or danger posed and to implement screening procedures for such material.

RULEMAKING AUTHORITY

Rulemaking authority is expressly granted to the Texas Department of Criminal Justice in SECTION 1 (Section 501.0051, Government Code) of this bill.

SECTION BY SECTION ANALYSIS

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

Sec. 501.0051. RECEIPT OF BOOKS BY MAIL. (a) Requires the Texas Department of Criminal Justice (TDCJ) to establish a policy that permits an inmate to receive by mail reference books and other educational materials from a volunteer organization that operates programs described by Section 501.009 (Volunteer Organizations), regardless of whether the organization provides those programs to inmates housed in facilities operated by TDCJ.

(b) Authorizes TDCJ to adopt rules as necessary to implement this section, including rules to provide for screening of packages sent to inmates; prohibit inmates from receiving books that might assist them in committing crimes, such as books on escaping prison; and define the terms "reference books" and "educational materials."

SECTION 2. Requires TDCJ, as soon as practicable after the effective date of this Act, to establish the policy required by Section 501.0051, Government Code, as added by this Act.

SECTION 3. Effective date: upon passage or September 1, 2009.