

BILL ANALYSIS

Senate Research Center
86R19255 MAW-F

C.S.H.B. 374
By: Allen; Bowers (Miles)
Criminal Justice
4/17/2019
Committee Report (Substituted)

AUTHOR'S / SPONSOR'S STATEMENT OF INTENT

While the conditions of community supervision vary from case to case, probationers are almost universally required to regularly meet with their probation officer.

These meetings may interfere with significant life responsibilities, such as a job, school, or childcare. Failing to attend a meeting can lead to probation revocation, meaning the probationer is sent back to jail or prison and falls even further behind on their responsibilities. This presents a difficult choice for many probationers: either attend their meeting and potentially lose their job or miss the meeting and potentially head back to jail.

H.B. 374 addresses this by requiring community supervision and corrections departments to adopt a policy that takes a probationer's work, treatment, or community service schedule into consideration when scheduling required meetings. H.B. 374 only requires that these departments adopt a policy that makes the appropriate considerations, not specific actions. (Original Author's/Sponsor's Statement of Intent)

C.S.H.B. 374 amends current law relating to meetings or visits between a defendant on community supervision and a supervision officer.

RULEMAKING AUTHORITY

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

SECTION BY SECTION ANALYSIS

SECTION 1. Amends Chapter 76, Government Code, by adding Section 76.019, as follows:

Sec. 76.019. SUPERVISION OFFICER MEETINGS AND VISITS. (a) Requires a community supervision and corrections department (department) to adopt a policy regarding the scheduling of meetings or visits with a defendant placed on community supervision and supervised by the department. Requires the policy to require the officer supervising the defendant to take into consideration the defendant's work, treatment, or community service schedule, as applicable, when scheduling any required meetings or visits.

(b) Authorizes a department to permit a defendant to report to the officer supervising the defendant by use of videoconference technology if the department determines that an in-person meeting or visit is unnecessary.

SECTION 2. Requires each community supervision and corrections department, not later than January 1, 2020, to adopt the policy required by Section 76.019, Government Code, as added by this Act.

SECTION 3. Effective date: September 1, 2019.