

## Summaries of Selected Legislation Passed by the 88<sup>th</sup> Legislature, Regular Session

**[HB 517](#) by Rep. Julie Johnson** – Relating to the persons who may provide information to a parole panel considering the release of an inmate on parole or to mandatory supervision. While the Board of Pardons and Paroles' current practice is to allow families of victims to testify on behalf of deceased loved ones at parole hearings, it was not codified in statute. This law allows a victim's family to testify on behalf of the victim at parole hearings when the victim has passed away due to circumstances unrelated to the crime.

**[HB 1221](#) by Rep. Will Metcalf** – Relating to authorizing the comptroller to release a reported owner's unclaimed property to the owner's crime victim in certain circumstances and payment by the Texas Department of Criminal Justice of certain amounts owed by an inmate. Under certain circumstances, TDCJ will be required to file a claim for unclaimed property with the Comptroller of Public Accounts who operates the Unclaimed Property Program on behalf of a victim who is due compensation.

**[HB 1577](#) by Rep. Lacey Hull** – Relating to changing the eligibility for mandatory supervision of an inmate serving a sentence for or previously convicted of certain assaults. This new law seeks to give the Board of Pardons and Paroles more discretion on the release of certain violent offenders. Several offenses are added to the list of offenses not eligible for mandatory supervision, including second-degree felony assault on a peace officer or judge, repeat family violence or family violence by strangulation, assault to cause an abortion, and assault against a pregnant person.

**[HB 1743](#) by Rep. Jeff Leach** – Relating to a memorandum of understanding between the Health and Human Services Commission and the Texas Department of Criminal Justice to assess the eligibility of certain inmates for supplemental nutrition assistance program benefits on discharge or release from confinement. TDCJ and HHSC will establish procedures to assess inmates who may be eligible for SNAP benefits to begin receiving SNAP services upon release.

**[HB 1911](#) by Rep. Dustin Burrows** – Relating to the confidentiality of certain home address information in ad valorem tax appraisal records. This law makes confidential the home address information maintained in ad valorem tax appraisal district records of current and former employees and contract staff of university healthcare providers at corrections facilities operated by TDCJ or TJJJ.

**[HB 1914](#) by Rep. Kyle Kacal** – Relating to compensatory time accrued by an employee of the Texas Department of Criminal Justice. This new law allows all TDCJ employees to accrue two years of compensatory time, rather than only one year.

**[HB 2201](#) by Rep. Terry Canales** – Relating to housing certain inmates in state jail felony facilities. This new law removes the statutory requirement that TDCJ designate discrete housing for state jail inmates, allowing TDCJ more flexibility in making housing assignments and providing access to programs.

**[HB 2620](#) by Rep. Charlie Geren** – Relating to the confinement in a county jail of a person pending a transfer to the Texas Department of Criminal Justice and to compensation to a county for certain costs of confinement. This law codifies the requirement that TDCJ accept inmates within 45 days after transfer documents are received and certified by the agency. For each day past the 45<sup>th</sup> day that the inmate is not transferred, TDCJ will be required to compensate the county for the daily cost of confinement.

**[HB 2708](#) by Rep. Valoree Swanson** – Relating to visitation policies for inmates and state jail felony defendants. This law requires in statute that TDCJ's uniform visitation and state jail visitation policies

allow for in-person visitation, regardless of the availability of video or remote visitation. In-person visitation may be suspended for a health or safety emergency.

**[HB 3075](#) by Rep. Kyle Kacal** – Relating to the operation of an unmanned aircraft over a correctional facility or detention facility; creating a criminal offense. This new law makes it a crime to operate an unmanned aircraft over a correctional or detention facility. The offense is punishable as a misdemeanor unless the person intends to deliver contraband, in which case, it is a state jail felony.

**[HB 3603](#) by Rep. Charles “Doc” Anderson** – Relating to the payment of restitution by a person released on parole or to mandatory supervision. This new law addresses the issue of double collections in crime victim compensation, shifting certain responsibilities of transmitting payment from TDCJ to the local court clerks. For TDCJ staff and victims, this will streamline the restitution process for victims who are owed restitution from individuals on parole and mandatory supervision.

**[HB 3743](#) by Rep. Craig Goldman** – Relating to the Texas Department of Licensing and Regulation; expanding authority to adopt fees. This law extends TDLR for another 10 years until the next Sunset review. TDLR is allowed, but not required, to accept a license application from an inmate incarcerated in a TDCJ facility so long as the license is not issued until release. This law seeks to create a more efficient pathway to employment for eligible inmates returning to their communities.

**[HB 3813](#) by Rep. Mano DeAyala** – Relating to eligibility to participate as an annuitant in the state employees group benefits program. This law makes it clear that qualifying Windham School District teachers who dedicate 10 years of service to teaching incarcerated students at prison facilities are eligible for health benefits upon retirement under the ERS employees group benefits program.

**[SB 374](#) by Sen. Joan Huffman** – Relating to the period for disposing of a charge that a person violated a condition of release from the Texas Department of Criminal Justice. This law allows more time for TDCJ and the Board of Pardons and Paroles to act on warrants for individuals who have committed a new offense while on parole or mandatory supervision. TDCJ will be required to act on such a parole warrant within the 91<sup>st</sup> day after the warrant is executed, rather than the current 41<sup>st</sup> day, to align with the deadline for a DA to issue an indictment to the court.

**[SB 1004](#) by Sen. Joan Huffman** – Relating to creating the criminal offense of tampering with an electronic monitoring device and to certain consequences on conviction of that offense. New state law makes it a state jail felony if an individual required to wear electronic monitoring as a condition of parole or mandatory supervision attempts to remove or disable the tracking device. This offense would be a third-degree felony if the person is on SISF caseload. An exception is included for the removal of device by a healthcare provider if there is a medical necessity.

**[SB 1146](#) by Sen. Royce West** – Relating to the medical transportation and care for certain inmates in the Texas Department of Criminal Justice. This law codifies requirements for TDCJ to establish procedures for medical transportation of female inmates. Transportation conditions must meet certain standards and the agency is required to provide greater access to telemedicine services and on-site medical care.

**[SB 1518](#) by Sen. Phil King** – Relating to the establishment of a terrorist offender registry and to the supervision of those terrorist offenders; creating criminal offenses related to terrorism. The Department of Public Safety will create a terrorist offender registry, similar to the sex offender registration program. TDCJ will be required to gather information on an offender convicted of certain offenses prior to their

release, and an offender may be required to register as a condition of release to parole, mandatory, or community supervision.

**SB 2158 by Sen. Phil King** – Relating to the establishment of an adult education pilot program by the Windham School District. Under this new law, the Windham School District will partner with non-profit entities to establish an adult high school pilot program, allowing eligible inmate students to successfully complete a high school program that can lead to a diploma.