

BILL ANALYSIS

H.B. 2754
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Corrections
Committee Report (Unamended)

BACKGROUND AND PURPOSE

Many of the nearly 28,000 people paroled or released to mandatory supervision each year in Texas do not have a housing plan in place for their release that will aid them in their reentry efforts. Even as those without adequate housing make plans for their constructive reentry and employment immediately after release from imprisonment, they often also face an ongoing lack of temporary post-release housing. Individuals in this circumstance must wait in prison for months or even a year for an availability of housing in one of the state's eight residential reentry centers (RRC). The RRCs only contain around 2,000 beds, making availability scarce, and the centers are often far from an individual's own family and critical support systems.

It has been suggested that if the state expanded opportunities for housing options for these individuals beyond the RRCs, particularly in a less institutional, less prison-like environment, it could permanently improve these individuals' long-term supports and, thus, their chances for successful reentry. H.B. 2754 establishes a task force to work with the Texas Department of Criminal Justice to expand housing options and the use of housing stipends, all in attempts to reduce recidivism rates and save the state money, and it revises the authorization for TDCJ to issue payment for temporary post-release housing for certain inmates or releasees.

CRIMINAL JUSTICE IMPACT

It is the committee's opinion that this bill does not expressly create a criminal offense, increase the punishment for an existing criminal offense or category of offenses, or change the eligibility of a person for community supervision, parole, or mandatory supervision.

RULEMAKING AUTHORITY

It is the committee's opinion that this bill does not expressly grant any additional rulemaking authority to a state officer, department, agency, or institution.

ANALYSIS

H.B. 2754 establishes the Reentry Housing Task Force, sets out its composition, and makes the executive director of the Texas Department of Criminal Justice (TDCJ) the appointing authority, who must appoint the members and designate a presiding officer not later than November 1, 2021. Members are not entitled to compensation but are entitled for reimbursement for related travel expenses. The bill sets out the duties of the task force and requires the task force, not later than December 1, 2022, to prepare and submit to TDCJ and the legislature a written report on the task force's findings, including the standards, procedures, and recommendations developed by the task force. The task force is abolished and these provisions expire September 1, 2023.

H.B. 2754 amends the Government Code to revise the authorization for TDCJ to issue payment for temporary post-release housing for inmates eligible for release on parole or to mandatory supervision and to releasees as follows:

- by authorizing TDCJ to issue payment for the cost of temporary post-release housing without regard to whether TDCJ does not operate or contract for the operation of a residential correctional facility in the county of legal residence of an applicable inmate or releasee;
- by removing the requirement that temporary post-release housing be in a structure that existed on June 1, 2009, as a multifamily residence or as a motel to which the hotel occupancy tax applies; and
- by requiring temporary post-release housing to meet or exceed standards developed by the Reentry Housing Task Force.

The bill authorizes TDCJ to continue to make payments for the cost of temporary post-release housing under the requirements that existed immediately before the bill's effective date until January 1, 2023.

H.B. 2754 requires TDCJ to actively seek grants from any source for the purpose of expanding the use of temporary post-release housing payments as an alternative to housing an inmate or a releasee in a residential correctional facility. The bill authorizes TDCJ to issue the payments out of grant funds received for that purpose and requires TDCJ to do the following:

- prioritize the use of temporary post-release housing payments to reduce the average number of days certain inmates or a releasee is housed in a residential correctional facility; and
- reduce the number of inmates or releasees housed in a residential correctional facility if TDCJ determines that the issuance of payments increases the availability of temporary post-release housing that meets or exceeds the Reentry Housing Task Force standards.

H.B. 2754 requires TDCJ to implement a post-release housing planning procedure for releasees that includes the early identification and assessment of inmates who do not have an established plan for housing following release on parole or to mandatory supervision. The bill requires TDCJ, in implementing the procedure, to create an assessment to identify the following:

- inmates who are low-risk and would benefit from the use of temporary post-release housing payments; and
- inmates who require more intensive planning for post-release housing.

The bill requires TDCJ to implement the procedure and not later than December 1, 2021. The bill requires TDCJ, not later than February 1 of each year, to submit to the governor, the lieutenant governor, the speaker of the house of representatives, and applicable legislative committees a report that includes information for the preceding year regarding the following:

- the number of inmates who do not have an established plan for housing following release;
- TDCJ's efforts to do the following:
 - find post-release housing for such inmates;
 - reduce the length of time between an inmate's parole approval and the release of the inmate on parole; and
 - expand post-release housing options in local communities, including post-release housing that meets or exceeds the Reentry Housing Task Force standards;
- the average number of days a releasee is housed in a residential correctional facility; and
- the number of releasees who absconded from a residential correctional facility.

H.B. 2754 repeals Section 508.157(e-1), Government Code.

EFFECTIVE DATE

September 1, 2021.