

BILL ANALYSIS

Senate Research Center
76R2301 GWK-D

H.B. 244
By: West, George (West)
Criminal Justice
5/14/1999
Engrossed

DIGEST

Current law does not require person inmates to participate in either work or education programs. Such activities may help imprisonment provide more of a deterrent to crime and increase its value to the individuals upon returning to the general population. H.B. 244 requires physically and mentally capable inmates to participate in work or education programs.

PURPOSE

As proposed, H.B. 244 requires inmates of the Texas Department of Criminal Justice to participate in work and educational programs.

RULEMAKING AUTHORITY

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

SECTION BY SECTION ANALYSIS

SECTION 1. Amends Chapter 497E, Government Code, by adding Section 497.099, as follows:

Sec. 497.099. PARTICIPATION IN WORK PROGRAM REQUIRED. Requires the Texas Department of Criminal Justice (TDCJ) to require each inmate to work in agricultural, industrial, or other work programs to the extent that the inmate is physically and mentally capable of working. Authorizes TDCJ to waive the work requirement for an inmate to maintain security.

SECTION 2. Amends Section 501A, Government Code, by adding Section 501.0051, as follows:

Sec. 501.0051. EDUCATION REQUIRED. Requires TDCJ to require all inmates who do not hold a high school diploma or a general equivalency certificate (certificate) to participate in available educational programming to earn a certificate. Provides that this section does not apply to inmates on death row or confined in administrative segregation or close custody. Authorizes TDCJ to waive the educational requirement if it is determined that the inmate lacks the learning ability to earn a certificate. Authorizes TDCJ to limit participation in an educational program based on the capacity of the program and inmates' release dates, using TDCJ's individualized treatment plan.

SECTION 3. Repealer: Section 497.090, Government Code (Work Required).

SECTION 4. Emergency clause.
Effective date: upon passage.