

BILL ANALYSIS

Senate Research Center
78R12381 DAK-D

C.S.S.B. 447
By: Ogden
Criminal Justice
4/16/1999
Committee Report (Substituted)

DIGEST

Currently, the Texas Youth Commission (commission) incarcerates juveniles for crimes. Nearly half of those released by the commission return to incarceration because they committed an additional crime after release. Studies show that incarcerated youth who earn a high school diploma are less likely to return to prison. But many released youths have trouble finding employment due to the youths' lack of education. C.S.S.B. 447 would prohibit the commission from releasing a person who has not attained a certain level of education.

PURPOSE

As proposed, C.S.S.B. 447 prohibits the Texas Youth Commission from releasing a person who did not obtain a mandatory education skill level.

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 61F, Human Resources Code, by adding Section 61.085, as follows:

Sec. 61.085. EDUCATIONAL SKILL LEVEL. Requires the Texas Youth Commission (commission) to release a child under supervision only if the child has acquired a certain level of education. Prohibits that child's release without the education or skills, except under a waiver based on the child's intellectual incapacity or based on a gubernatorial declaration of insufficient resources. Authorizes the commission, if the governor waives the requirement, to release under supervision a child who the commission has determined has not reached the educational skill level if the commission requires the child to attain that level.

SECTION 2. Requires the commission to make the determination to waive the mandatory skill level requirement by December 1, 2000, and to submit a report by December 1, 2000 to the governor and certain state agencies stating the number of children affected by the waiver and the resources that would be required for full implementation.

SECTION 3. Effective date: September 1, 1999.
Makes application of this Act prospective.

SECTION 4. Emergency clause.

SUMMARY OF COMMITTEE CHANGES

SECTION 2.

Adds provisions requiring the commission to determine the waiving requirement and to report on certain information regarding the requirement by December 1, 2000.

Redesignates SECTIONS 2-3 as SECTIONS 3-4.