

BILL ANALYSIS

H.B. 3654
By: Riddle
Corrections
Committee Report (Unamended)

BACKGROUND AND PURPOSE

Certain offenders are required to enroll in continuum of care programs as a condition of their release. Many counties operate special facilities to accommodate these programs for residents of their counties upon their release.

However, some counties choose not to operate these facilities. This means that when a person is released from the Texas Department of Criminal Justice and the county in which they would normally reside does not have the facilities needed to provide treatment to that person, they are placed into a county which has the facilities. This creates a financial burden for the latter county, amongst other problems.

HB 3654 would require a county that declines to operate such a facility, to cover the costs of certain offenders sent to treatment in other counties.

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

HB 3654 amends the Government Code to provide that in the absence of a suitable facility to provide continuum of care services in a county in which a releasee would otherwise be required to reside requires a parole panel to place that releasee in a transitional treatment center, community residential facility, or halfway house in another county, the former county will be liable to the Texas Department of Criminal Justice (department) for the cost of the releasee's placement.

The bill stipulates that a county is only liable for this cost if, in the 24-month period preceding the person's placement, the department has proposed operating or contracting for the operation of a transitional treatment center, community residential facility or halfway house in the county for the placement of releasees described by Subsection (a), Section 508.120 of the Government Code, and operation of the facility does not commence after a hearing under Section 508.119(d), Government Code.

HB 3654 authorizes the attorney general to collect money owed by a county to the department under section 508.120, Government Code. The bill authorizes the department to reduce any funds otherwise allocated to the county by the department in satisfaction of the amount owed.

EFFECTIVE DATE

September 1, 2007.