

## **BILL ANALYSIS**

Senate Research Center

H.B. 28  
By: Hodge (Whitmire)  
Criminal Justice  
5/18/2003  
Engrossed

### **DIGEST AND PURPOSE**

Under current law, the state jail division of the Texas Department of Criminal Justice is required to develop work programs and programs for rehabilitation, education, and recreation. However, Chapter 507 of the Government Code does not give direction as to the use of volunteers to assist with rehabilitation and education of state jail offenders. Volunteer hours and resources come at no cost to the state and can be an integral part of rehabilitation of offenders. H.B. 28 requires the state jail division of the Texas Department of Criminal Justice to allow capable offenders to tutor functionally illiterate offenders and to actively encourage volunteer organizations to assist with rehabilitative services.

### **RULEMAKING AUTHORITY**

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

### **SECTION BY SECTION ANALYSIS**

SECTION 1. Amends Subchapter B, Chapter 507, Government Code, by adding Section 507.033, as follows:

Sec. 507.033. REHABILITATION PROGRAMS. (a) Authorizes the state jail division to allow a defendant who is capable of serving as a tutor to tutor functionally illiterate defendants and requires the state jail division to actively encouraging volunteer organizations to aid in the tutoring of defendants. Authorizes a person who acts as a tutor to function only as a teacher and advisor to a defendant and not to exercise supervisory authority or control over the defendant.

(b) Requires the state jail division to actively encourage volunteer organizations to provide certain programs for defendants who are housed in facilities operated by or under contract with the division.

SECTION 2. Effective date: upon passage or September 1, 2003.