

## **BILL ANALYSIS**

Senate Research Center  
83R17479 CAS-F

H.B. 797  
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Criminal Justice  
5/3/2013  
Engrossed

### **AUTHOR'S / SPONSOR'S STATEMENT OF INTENT**

There is concern that incarcerated individuals may begin training for a trade without full awareness of the stringent and often challenging restrictions they will face after release. Interested parties assert that better information from the Windham School District regarding vocational training will assist these individuals in making decisions that will be crucial to their lives after prison and, in addition, will help the district better utilize its limited educational resources.

H.B. 797 requires the Windham School District to provide potential vocational trade students with information about post-release licensing restrictions, rates of licensing among past Windham School District students, and the licensing and appeals process. This information would provide an incarcerated individual with more complete information regarding future job opportunities.

H.B. 797 amends current law relating to certain written information the Windham School District must provide to a person before the person enrolls in a district vocational training program.

### **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 Chapter 19, Education Code, by adding Section 19.0042, as follows:

Sec. 19.0042. **INFORMATION TO BE PROVIDED BY DISTRICT BEFORE VOCATIONAL TRAINING PROGRAM ENROLLMENT.** Requires a district vocational training program, before a person described by Section 19.005 (Eligibility for Certain Programs and Services) enrolls in a district vocational training program, to inform the person in writing of:

(1) any rule or policy of a state agency that would impose a restriction or prohibition on the person in obtaining a certificate or license in connection with the vocational training program;

(2) the total number of district students released during the preceding 10 years who have completed a district vocational training program that allows for an opportunity to apply for a certificate or license from a state agency and, of those students:

(A) the number who have applied for a certificate or license from a state agency;

(B) the number who have been issued a certificate or license by a state agency; and

(C) the number who have been denied a certificate or license by a state agency; and

(3) the procedures for:

(A) requesting a criminal history evaluation letter under Section 53.102 (Request for Criminal History Evaluation Letter), Occupations Code;

(B) providing evidence of fitness to perform the duties and discharge the responsibilities of a licensed occupation for purposes of Section 53.023 (Additional Factors for Licensing Authority to Consider), Occupations Code; and

(C) appealing a state agency's denial of a certificate or license, including deadlines and due process requirements, to the State Office of Administrative Hearings under Subchapter C (Contested Cases: General Rights and Procedures), Chapter 2001 (Administrative Procedure), Government Code, and through any other available avenue.

SECTION 2. Provides that Section 19.0042, Education Code, as added by this Act, applies only regarding enrollment of a person in a Windham School District vocational training program on or after September 1, 2013.

SECTION 3. Effective date: upon passage or September 1, 2013.