SENATE BILL 2108
By Yager

HOUSE BILL 2136

By Ramsey

AN ACT to amend Tennessee Code Annotated, Title 5; Title 8, Chapter 26; Title 40; Title 41 and Title 49, relative to programs to reduce recidivism.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF TENNESSEE:

SECTION 1. Tennessee Code Annotated, Section 41-8-106, is amended by adding the following new subsection:

(1) In addition to the reimbursement under subsection (c) and subdivision (g)(2), the department shall pay a recidivism-reduction stipend to any county:

(A) That has a population of less than three hundred thirty-six thousand (336,000), according to the 2010 federal census or any subsequent federal census; and

(B) In which the county jail houses convicted felons pursuant to a contract with the state or houses convicted felons awaiting transfer to a state facility, and provides evidence-based programs to those inmates designed to reduce recidivism rates among convicted felons.

(2) The recidivism-reduction stipend must be set at an additional five dollars ($5.00) per day to be added to the reimbursement for each convicted felon who is enrolled in a qualifying program at the county jail. If a felon is enrolled in more than one (1) program, the department shall pay a stipend for each program in which the felon is enrolled.

(3) The department shall determine the eligibility of qualifying programs, which may focus on education, vocational training, mental health, substance abuse rehabilitation, building healthy relationships, or any other specialty that can be shown by

scientific research to effectively reduce the recidivism rate of felons and increase the likelihood of success following release from incarceration. Each eligible program must be evidence-based and matched to the risk needs of enrolled offenders.

(4) In order to maintain the recidivism-reduction stipend, the county must provide documentation that at least seventy percent (70%) of the felons who enroll in the program go on to complete the program in a timely manner as determined by the department.

(5) After a program has been in existence for three (3) years, the department shall review the recidivism rates of felons who complete qualifying programs to determine whether the program has been effective in reducing recidivism rates. If the program does not reduce the recidivism rate by at least twenty-five percent (25%), the program shall no longer be eligible for the additional stipend as a qualifying program.

(6) The commissioner is hereby authorized to promulgate rules and regulations that, in the commissioner's judgment will implement and help effectuate this subsection. The rules and regulations shall be promulgated pursuant to the Uniform Administrative Procedures Act, compiled in title 4, chapter 5.

(7) Tennessee's community colleges, established pursuant to title 49, chapter 8 and Tennessee's colleges of applied technology, established pursuant to title 49, chapter 11, part 4, are authorized and encouraged to assist county governments in the development of programs, particularly relative to identifying appropriate job training and workforce development programs that will be in demand in that county's region.

SECTION 2. Tennessee Code Annotated, Title 49, Chapter 8, Part 2, is amended by adding the following new section:

In addition to all other authorized functions of the community colleges and state colleges of applied technology within the board of regents, such facilities are authorized to contract and partner with local governments for the purpose of providing educational and workforce development programs to assist with reducing recidivism rates of criminal

offenders held in local correctional facilities and improving opportunities for successful reentry upon release from incarceration.

SECTION 3. Tennessee Code Annotated, Section 49-11-404, is amended by adding the following new subdivision (a)(3) and renumbering the current subdivision (a)(3) and subsequent subdivisions as appropriate:

(3) Sheriff's departments or other officials or departments charged with oversight of a county jail or workhouse for the purpose of developing reentry programs to effectively reduce the recidivism rate of felons and increase the likelihood of successful reintegration into society following release of the individual from incarceration;

SECTION 4. This act shall take effect upon becoming a law, the public welfare requiring it, for the purpose of promulgating rules pursuant to Section 2 of this act. For all other purposes, this act shall take effect January 1, 2021, the public welfare requiring it.