# Chapter 233

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H.B. No. 239

1	AN ACT
2	relating to a report regarding the confinement of pregnant inmates
3	by the Texas Department of Criminal Justice.
4	BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:
5	SECTION 1. (a) In this section, "department" means the
6	Texas Department of Criminal Justice.
7	(b) The department shall prepare a report on the confinement
8	of pregnant inmates in facilities operated by or under contract
9	with the department. The report must include:
10	(1) a description of the department's implementation
11	of policies and procedures to provide adequate care to pregnant
12	inmates while confined in a facility operated by or under contract
13	with the department, and any policies adopted by the department
14	regarding the placement of a pregnant inmate in administrative
15	segregation;
16	(2) information regarding the health care provided to
17	a pregnant inmate, including the availability of:
18	<ul><li>(A) obstetrical or gynecological care;</li></ul>
19	(B) prenatal health care visits;
20	(C) mental health care; and
21	(D) drug abuse or chemical dependency treatment;
22	(3) a detailed summary of the following as applicable
23	to pregnant inmates:
24	(A) nutritional standards, including the average

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H.B. No. 239 caloric intake of a pregnant inmate and other dietary information; 1 2 (B) work assignments; 3 (C) housing conditions; and 4 (D) situations in which a pregnant inmate has been restrained, including the reason a determination to use 5 6 restraints was made under Section 501.066, Government Code; and 7 the number of miscarriages experienced by pregnant (4) 8 inmates while confined in a facility operated by or under contract 9 with the department between September 1, 2017, and September 1, 2018. 10 11 (c) Not later than December 1, 2018, the department shall provide a copy of the report to: 12 13 (1)the governor; 14 the lieutenant governor; (2) 15 (3) the speaker of the house of representatives; and 16 (4) each standing committee of the senate and house of representatives having primary jurisdiction over matters relating 17 18 to corrections. 19 SECTION 2. This Act expires February 1, 2019. 20 SECTION 3. This Act takes effect September 1, 2017.

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President of the Senate

H.B. No. 239 three s Speaker of the House

I certify that H.B. No. 239 was passed by the House on April 28, 2017, by the following vote: Yeas 117, Nays 17, 2 present, not voting.

On

Chief Clerk of the Hous

I certify that H.B. No. 239 was passed by the Senate on May 19, 2017, by the following vote: Yeas 29, Nays 2.

as 

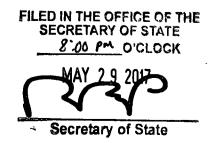
Secretary of the Senate

5 -28 2017

Date

**APPROVED:** 

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# LEGISLATIVE BUDGET BOARD Austin, Texas

# FISCAL NOTE, 85TH LEGISLATIVE REGULAR SESSION

# May 10, 2017

TO: Honorable John Whitmire, Chair, Senate Committee on Criminal Justice

FROM: Ursula Parks, Director, Legislative Budget Board

**IN RE: HB239** by Hernandez (Relating to a report regarding the confinement of pregnant inmates by the Texas Department of Criminal Justice.), **As Engrossed** 

## No significant fiscal implication to the State is anticipated.

The bill would require the Texas Department of Criminal Justice (TDCJ) to submit a report, as described in the bill, regarding the confinement of pregnant inmates in TDCJ correctional facilities. TDCJ does not anticipate a significant fiscal impact as a result of implementing the provisions of the bill. The bill would take effect on September 1, 2017 and would expire on February 1, 2019.

#### Local Government Impact

No fiscal implication to units of local government is anticipated.

**Source Agencies:** 696 Department of Criminal Justice **LBB Staff:** UP, KJo, ZB, LM, KVe

# LEGISLATIVE BUDGET BOARD Austin, Texas

# FISCAL NOTE, 85TH LEGISLATIVE REGULAR SESSION

# March 7, 2017

**TO:** Honorable James White, Chair, House Committee on Corrections

**FROM:** Ursula Parks, Director, Legislative Budget Board

**IN RE: HB239** by Hernandez (Relating to a report regarding the confinement of pregnant inmates by the Texas Department of Criminal Justice.), **As Introduced** 

## No significant fiscal implication to the State is anticipated.

The bill would require the Texas Department of Criminal Justice (TDCJ) to submit a report, as described in the bill, regarding the confinement of pregnant inmates in TDCJ correctional facilities. TDCJ does not anticipate a significant fiscal impact as a result of implementing the provisions of the bill. The bill would take effect on September 1, 2017 and would expire on February 1, 2019.

#### Local Government Impact

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No fiscal implication to units of local government is anticipated.

**Source Agencies:** 696 Department of Criminal Justice **LBB Staff:** UP, KJo, LM, KVe