

Chapter 233

H.B. No. 239

AN ACT

relating to a report regarding the confinement of pregnant inmates by the Texas Department of Criminal Justice.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

SECTION 1. (a) In this section, "department" means the Texas Department of Criminal Justice.

(b) The department shall prepare a report on the confinement of pregnant inmates in facilities operated by or under contract with the department. The report must include:

(1) a description of the department's implementation of policies and procedures to provide adequate care to pregnant inmates while confined in a facility operated by or under contract with the department, and any policies adopted by the department regarding the placement of a pregnant inmate in administrative segregation;

(2) information regarding the health care provided to a pregnant inmate, including the availability of:

- (A) obstetrical or gynecological care;
- (B) prenatal health care visits;
- (C) mental health care; and
- (D) drug abuse or chemical dependency treatment;

(3) a detailed summary of the following as applicable to pregnant inmates:

- (A) nutritional standards, including the average

1 caloric intake of a pregnant inmate and other dietary information;
2 (B) work assignments;
3 (C) housing conditions; and
4 (D) situations in which a pregnant inmate has
5 been restrained, including the reason a determination to use
6 restraints was made under Section 501.066, Government Code; and
7 (4) the number of miscarriages experienced by pregnant
8 inmates while confined in a facility operated by or under contract
9 with the department between September 1, 2017, and September 1,
10 2018.

11 (c) Not later than December 1, 2018, the department shall
12 provide a copy of the report to:

- 13 (1) the governor;
- 14 (2) the lieutenant governor;
- 15 (3) the speaker of the house of representatives; and
- 16 (4) each standing committee of the senate and house of
17 representatives having primary jurisdiction over matters relating
18 to corrections.

19 SECTION 2. This Act expires February 1, 2019.

20 SECTION 3. This Act takes effect September 1, 2017.

Don Patuck
President of the Senate

Joe Straus
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.

Robert Haney
Chief Clerk of the House

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

Ratush Spaw
Secretary of the Senate

APPROVED: 5-28-2017

Date

Greg Abbott
Governor

FILED IN THE OFFICE OF THE
SECRETARY OF STATE
8:00 PM O'CLOCK

MAY 29 2017
[Signature]
Secretary of State

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

No fiscal implication to units of local government is anticipated.

Source Agencies: 696 Department of Criminal Justice

LBB Staff: UP, KJo, LM, KVe