

By: Canales, Burrows, Leach, Moody, White,
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H.B. No. 1971

A BILL TO BE ENTITLED

1 AN ACT

2 relating to the purchase and installation of climate control
3 systems at facilities operated by the Texas Department of Criminal
4 Justice.

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

6 SECTION 1. (a) In this section:

7 (1) "Department" means the Texas Department of
8 Criminal Justice.

9 (2) "Required temperature-controlled area" means the
10 following areas of a facility operated by the department:

11 (A) hospitals;

12 (B) visiting areas;

13 (C) housing or dormitory areas;

14 (D) trustee areas;

15 (E) areas used for medical treatment or care,
16 including areas used for dispensing medication to inmates;

17 (F) kitchens or dining areas;

18 (G) food preparation areas;

19 (H) community areas, including dayrooms;

20 (I) laundry areas;

21 (J) areas used for work stations;

22 (K) indoor recreational areas, including
23 gymnasiums;

24 (L) restroom and shower areas and other areas

1 related to inmate hygiene;

2 (M) administrative areas;

3 (N) correctional officer stations, including
4 guard post areas;

5 (O) commissary areas;

6 (P) areas used for programmatic, educational, or
7 vocational purposes;

8 (Q) chapels or churches;

9 (R) libraries; and

10 (S) maintenance areas.

11 (b) The department shall:

12 (1) contract with a private entity through a
13 competitive bidding process to purchase and install climate control
14 systems at each facility operated by the department that is not
15 currently equipped with a climate control system capable of
16 maintaining the temperature in the required temperature-controlled
17 areas of the facility at not less than 65 degrees Fahrenheit or more
18 than 85 degrees Fahrenheit; and

19 (2) install the climate control systems in the
20 following phases, with each phase consisting of the installation of
21 climate control systems at approximately one-third of the
22 department's facilities at a cost not to exceed \$100 million per
23 phase:

24 (A) phase one to be completed not later than
25 December 31, 2024;

26 (B) phase two to be completed not later than
27 December 31, 2026; and

1 (C) phase three to be completed not later than
2 December 31, 2028.

3 (c) In conducting the competitive bidding process, the
4 department shall solicit bids for the entire scope of the project,
5 provided that the department may solicit bids for each phase of the
6 project if necessary or beneficial.

7 (d) In soliciting bids and determining the requirements for
8 the phased implementation of the project, the department shall:

9 (1) prioritize the efficient use of state resources;
10 and

11 (2) consider factors such as:

12 (A) the type of climate control systems needed
13 for each facility, including the architectural design of each
14 facility;

15 (B) the ability of any existing climate control
16 systems in each facility to maintain the air temperature in the
17 required temperature-controlled areas of the facility at not less
18 than 65 degrees Fahrenheit or more than 85 degrees Fahrenheit;

19 (C) the comparable abilities of different
20 climate control systems to maintain the temperature described by
21 Paragraph (B) of this subdivision, including the total cellblock or
22 dormitory square footage each system is capable of maintaining at
23 that temperature; and

24 (D) the use of inmate labor to decrease costs.

25 SECTION 2. This Act expires January 1, 2031.

26 SECTION 3. (a) The Texas Department of Criminal Justice is
27 required to implement a provision of this Act only if:

1 (1) the legislature allocates available federal funds
2 specifically for that purpose; or

3 (2) the legislature specifically appropriates state
4 funds to the department for the purpose of implementing a provision
5 of this Act.

6 (b) Except as provided by Subsection (a)(2) of this section,
7 the Texas Department of Criminal Justice may not implement a
8 provision of this Act using state funds.

9 SECTION 4. This Act takes effect immediately if it receives
10 a vote of two-thirds of all the members elected to each house, as
11 provided by Section 39, Article III, Texas Constitution. If this
12 Act does not receive the vote necessary for immediate effect, this
13 Act takes effect September 1, 2021.