

By: Allen

H.B. No. 4189

A BILL TO BE ENTITLED

AN ACT

relating to program accessibility for female inmates of the Texas Department of Criminal Justice.

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

SECTION 1. Section 501.026, Government Code, as added by Chapter 1163 (H.B. 3227), Acts of the 86th Legislature, Regular Session, 2019, is amended to read as follows:

Sec. 501.026. ACCESS TO PROGRAMS BY FEMALE INMATES. (a) The department shall develop and implement policies that increase and promote a female inmate's access to programs, including parenting classes and educational, vocational, substance use treatment, rehabilitation, life skills training, and prerelease programs, offered to inmates in the custody of the department, including programs offered to defendants confined in state jail felony facilities [~~including educational, vocational, substance use treatment, rehabilitation, life skills training, and prerelease programs~~]. The department may not reduce or limit a male inmate's access to a program to meet the requirements of this section.

(b) The department shall develop and implement policies that:

(1) require each facility to make the programs described by Subsection (a) available and accessible to a female inmate not later than the 45th day after the date the inmate arrives

1 at the facility; and

2 (2) ensure female inmates have access to the same  
3 program opportunities, including master's level education courses,  
4 that are available to male inmates.

5 (c) Not later than December 31 of each year, the department  
6 shall:

7 (1) prepare and submit to the governor, the lieutenant  
8 governor, the speaker of the house of representatives, each  
9 standing committee of the legislature having primary jurisdiction  
10 over the department, and the reentry task force described by  
11 Section 501.098 a written report that includes:

12 (A) a description of any department policies that  
13 were created, modified, or eliminated during the preceding year to  
14 meet the requirements of this section; and

15 (B) a list of programs available to female  
16 inmates in the custody of the department during the preceding year;  
17 and

18 (2) publish the report on the department's Internet  
19 website.

20 SECTION 2. As soon as practicable after the effective date  
21 of this Act, the Texas Department of Criminal Justice shall develop  
22 and implement the policies necessary to implement the changes in  
23 law made by this Act.

24 SECTION 3. This Act takes effect September 1, 2021.