

By: Hodge

H.B. No. 27

A BILL TO BE ENTITLED

AN ACT

relating to the duration of the placement of an inmate in administrative segregation at the institutional division of the Texas Department of Criminal Justice.

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

SECTION 1. Subchapter D, Chapter 501, Government Code, is amended by adding Section 501.114 to read as follows:

Sec. 501.114. DURATION OF PLACEMENT IN ADMINISTRATIVE SEGREGATION. (a) The department shall establish procedures that require the department to transfer from administrative segregation to the general population an inmate who has been in administrative segregation for five or more consecutive years.

(b) The procedures must permit an inmate who would otherwise be transferred to the general population because of the length of the inmate's placement in administrative segregation to decline the transfer.

(c) Procedures adopted under this section are not required to prohibit the department from returning an inmate to administrative segregation because of disciplinary or safety issues related to the inmate.

SECTION 2. (a) Under procedures adopted as required by Section 501.114, Government Code, as added by this Act, an inmate who on or before September 1, 2004, has been in administrative segregation for five or more consecutive years, must be transferred

1 before September 1, 2005, to the general population.

2 (b) Subsection (a) of this section does not apply to an
3 inmate who under procedures adopted under Section 501.114,
4 Government Code, as added by this Act, declines transfer to the
5 general population.

6 SECTION 3. This Act takes effect September 1, 2003.