

By: Hodge

H.B. No. 34

A BILL TO BE ENTITLED

AN ACT

1  
2 relating to the operation and oversight of the inmate grievance  
3 system used by the Texas Department of Criminal Justice.

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

5 SECTION 1. Section 501.008, Government Code, is amended by  
6 amending Subsection (a) and by adding Subsection (g) to read as  
7 follows:

8 (a) The department shall develop and maintain a system for  
9 the resolution of grievances by inmates housed in facilities  
10 operated by the department or under contract with the department  
11 [~~that qualifies for certification under 42 U.S.C. Section 1997e and~~  
12 ~~the department shall obtain and maintain certification under that~~  
13 ~~section~~]. A remedy provided by the grievance system is the  
14 exclusive administrative remedy available to an inmate for a claim  
15 for relief against the department that arises while the inmate is  
16 housed in a facility operated by the department or under contract  
17 with the department, other than a remedy provided by writ of habeas  
18 corpus challenging the validity of an action occurring before the  
19 delivery of the inmate to the department or to a facility operated  
20 under contract with the department.

21 (g) The office of the attorney general shall conduct random  
22 and unannounced reviews of grievances filed under this section,  
23 department responses to those grievances, and the efficiency and  
24 fairness of the system developed to respond to those grievances.

1 SECTION 2. This Act takes effect September 1, 2003.