

By: Hodge

H.B. No. 192

A BILL TO BE ENTITLED

AN ACT

1
2 relating to reviews by the Texas Department of Criminal Justice on
3 the effect of race and ethnicity on decisions relating to good
4 conduct time classifications and disciplinary matters.

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

6 SECTION 1. Section 501.001, Government Code, is amended to
7 read as follows:

8 Sec. 501.001. DISCRIMINATION AGAINST INMATES PROHIBITED.

9 (a) The institutional division and the director of the
10 institutional division may not discriminate against an inmate on
11 the basis of the inmate's sex, race, color, creed, or national
12 origin.

13 (b) The director of the institutional division shall before
14 January 1 of each odd-numbered year review decisions made during
15 the preceding two years by the division in its various units
16 regarding inmate disciplinary matters and good conduct time
17 classifications. On the basis of the review, the director shall
18 determine whether race or ethnicity was a factor in either
19 decision-making process. If the director determines that decisions
20 in a unit differed on the basis of the race or ethnicity of an inmate
21 who was the subject of a decision involving disciplinary matters or
22 good conduct time classification, the director shall further
23 investigate the decision-making process at the unit and require the
24 warden of the unit to correct inequalities.

1 SECTION 2. The first review of decision-making required by
2 Section 501.001, Government Code, as amended by this Act, must be
3 completed before January 1, 2005.

4 SECTION 3. This Act takes effect immediately if it receives
5 a vote of two-thirds of all the members elected to each house, as
6 provided by Section 39, Article III, Texas Constitution. If this
7 Act does not receive the vote necessary for immediate effect, this
8 Act takes effect September 1, 2003.