

By: Davis of Dallas

H.B. No. 104

A BILL TO BE ENTITLED

AN ACT

relating to a bill of rights for the poor.

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

SECTION 1. SHORT TITLE. This Act shall be known as the Bill of Rights for the Poor.

SECTION 2. GENERAL POLICY AND PURPOSE. (a) It is the policy of this state that:

(1) all forms of human oppression be dismantled; and

(2) all people, especially the poor, have the right to pursue life, liberty, and happiness without institutional barriers.

(b) The legislature finds that racism, sexism, classism, imperialism, and discrimination against disabled people must be addressed and eliminated if the poor are to escape impoverishment.

SECTION 3. ECONOMIC OPPORTUNITY. (a) The legislature finds that the poor have a right to a public policy agenda that invests in human beings.

(b) The legislature intends that:

(1) "communities of opportunity" be created for the purpose of eliminating all forms of economic predators that preclude economic development in areas of this state in which there has been historic neglect and economic apartheid;

(2) federal, state, and local resources be made available to community-based groups and other persons that create

1 economic opportunity in communities of opportunity; and

2 (3) partnerships between corporate and  
3 community-based groups that open doors of opportunity and invest in  
4 the poor should be encouraged and rewarded.

5 (c) The legislature recognizes that creation of communities  
6 of opportunity will necessitate a comprehensive economic policy on  
7 the national, state, and local levels that places the interests of  
8 people in need over the interest of corporate greed.

9 (d) The legislature declares that it is necessary to  
10 regulate corporations to:

11 (1) end the transfer of jobs out of this state and the  
12 country;

13 (2) prohibit the closing of plants and business  
14 headquarters without a public hearing; and

15 (3) ensure compensation for those who suffer job loss.

16 SECTION 4. RIGHTS OF CHILDREN. (a) The legislature finds  
17 that:

18 (1) one in every six children in the United States is a  
19 victim of poverty; and

20 (2) one in every three children of color is growing up  
21 in poverty.

22 (b) It is the intent of the legislature that each child in  
23 this state have access to quality health care, education, and  
24 housing and live in a safe community.

25 SECTION 5. CIVIL AND CRIMINAL JUSTICE; LAW ENFORCEMENT.

26 (a) It is the policy of this state that all people have a right to  
27 equal protection under the law, and, to that end, the poor must be

1 protected from injustice in the legal system.

2 (b) The legislature finds that the poor are often warehoused  
3 in the nation's prison industrial complex, which has become the  
4 21st century's version of slavery. It is the policy of this state  
5 that the poor be guaranteed competent representation and equal  
6 justice and be assured of justice in civil and criminal courts of  
7 this state.

8 (c) The legislature recognizes that the poor must be  
9 protected from state-sponsored terrorism in the form of police  
10 brutality and that the poor have a right to be protected and served,  
11 as opposed to being abused and exploited. Therefore, it is the  
12 intent of the legislature that:

13 (1) unequivocal civilian control exist over  
14 neighborhoods;

15 (2) citizen review boards with the power to discipline  
16 police abuse and misconduct be established; and

17 (3) a partnership for the elimination of crime and  
18 violence in impoverished communities be established between the  
19 police and community-based groups.

20 SECTION 6. EMPLOYMENT AND INCOME. The legislature finds  
21 and declares that the poor have the right to full employment and a  
22 guaranteed income that enables them to rise above the poverty  
23 level. Therefore, the legislature pledges to:

24 (1) support investment in community-based and  
25 cooperating partnerships that generate jobs; and

26 (2) make a concentrated effort to bring jobs and  
27 opportunity to areas of concentrated unemployment in this state.

1           SECTION 7. RACIAL AND SEXUAL EQUALITY. (a) It is the  
2 policy of this state that:

3               (1) the poor not be victimized by inequality of  
4 opportunity; and

5               (2) women be legally protected from:

6                   (A) sexual harassment and abuse in the workplace;  
7 and

8                   (B) domestic violence.

9           (b) The legislature intends that equal pay for women and  
10 people of color should exist in this state.

11          SECTION 8. ENVIRONMENTAL EQUALITY. (a) The legislature  
12 finds that:

13               (1) an unhealthy economic community has repercussions  
14 on the physical and mental health of that community's residents;  
15 and

16               (2) thousands of African Americans, Latinos, and  
17 Anglos are dying needlessly and prematurely as toxic chemicals are  
18 released into the air and the drinking water of impoverished  
19 communities.

20           (b) The legislature recognizes that the poor must be  
21 protected from environmental racism that disproportionately  
22 targets impoverished communities with toxic waste sites and other  
23 elements that adversely affect the atmosphere and health of persons  
24 in those communities.

25           (c) It is the intent of the legislature that:

26               (1) toxic waste sites be cleaned up immediately; and

27               (2) environmentally unsafe facilities in impoverished

1 communities that have been victimized by environmental racism be  
2 cleaned up, removed, or replaced.

3 SECTION 9. SUBSTANCE ABUSE TREATMENT. (a) The legislature  
4 finds that the health of the poor is often compromised by:

5 (1) the proliferation of drugs that are allowed into  
6 impoverished communities; and

7 (2) a lack of substance abuse treatment.

8 (b) It is the policy of this state that the poor have a right  
9 to substance abuse treatment and that substance abuse treatment,  
10 rather than incarceration, be the first response to substance  
11 abuse.

12 SECTION 10. HEALTH CARE SERVICES. (a) The legislature  
13 finds that the poor have a right to quality health care that is  
14 affordable.

15 (b) The legislature recognizes that:

16 (1) the health of the nation is compromised when  
17 pockets of poverty breed ill health; and

18 (2) this state can no longer afford to ignore the  
19 economic maladies that end the lives of individuals who have no  
20 access to health care.

21 (c) It is the intent of the legislature to make available  
22 affordable quality health care services and affordable hospitals in  
23 neglected and impoverished communities.

24 SECTION 11. FOREIGN POLICY. The legislature declares that:

25 (1) oppressed people all over the world should be  
26 liberated and empowered; and

27 (2) the foreign policy of the United States should be

1 based on justice and freedom and should ensure the elimination of  
2 economic exploitation of impoverished people throughout the world.

3 SECTION 12. This Act takes effect immediately if it  
4 receives a vote of two-thirds of all the members elected to each  
5 house, as provided by Section 39, Article III, Texas Constitution.  
6 If this Act does not receive the vote necessary for immediate  
7 effect, this Act takes effect on the 91st day after the last day of  
8 the legislative session.