

By: Hodge

H.B. No. 1423

A BILL TO BE ENTITLED

1 AN ACT

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

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

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

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

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

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

21 SECTION 2. (a) Under procedures adopted as required by  
22 Section 501.114, Government Code, as added by this Act, an inmate  
23 who on or before September 1, 2006, has been in administrative  
24 segregation for five or more consecutive years, must be transferred

1 before September 1, 2007, 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, 2005.