

By: Madden

H.B. No. 2197

A BILL TO BE ENTITLED

1 AN ACT

2 relating to the availability to the public of photographs of an
3 inmate confined by the Texas Department of Criminal Justice.

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

5 SECTION 1. Section 552.029, Government Code, is amended to
6 read as follows:

7 Sec. 552.029. RIGHT OF ACCESS TO CERTAIN INFORMATION
8 RELATING TO INMATE OF DEPARTMENT OF CRIMINAL
9 JUSTICE. Notwithstanding Section 508.313 or 552.134, the
10 following information about an inmate who is confined in a facility
11 operated by or under a contract with the Texas Department of
12 Criminal Justice is subject to required disclosure under Section
13 552.021:

14 (1) the inmate's name, identification number, age,
15 birthplace, department photograph, physical description, or
16 general state of health or the nature of an injury to or critical
17 illness suffered by the inmate;

18 (2) the inmate's assigned unit or the date on which the
19 unit received the inmate, unless disclosure of the information
20 would violate federal law relating to the confidentiality of
21 substance abuse treatment;

22 (3) the offense for which the inmate was convicted or
23 the judgment and sentence for that offense;

24 (4) the county and court in which the inmate was

1 convicted;

2 (5) the inmate's earliest or latest possible release
3 dates;

4 (6) the inmate's parole date or earliest possible
5 parole date;

6 (7) any prior confinement of the inmate by the Texas
7 Department of Criminal Justice or its predecessor; or

8 (8) basic information regarding the death of an inmate
9 in custody, an incident involving the use of force, or an alleged
10 crime involving the inmate.

11 SECTION 2. This Act takes effect immediately if it receives
12 a vote of two-thirds of all the members elected to each house, as
13 provided by Section 39, Article III, Texas Constitution. If this
14 Act does not receive the vote necessary for immediate effect, this
15 Act takes effect September 1, 2005.