

1-1 By: Madden (Senate Sponsor - Whitmire) H.B. No. 2197  
1-2 (In the Senate - Received from the House April 21, 2005;  
1-3 April 22, 2005, read first time and referred to Committee on  
1-4 Criminal Justice; May 18, 2005, reported favorably by the  
1-5 following vote: Yeas 5, Nays 0; May 18, 2005, sent to printer.)

1-6 A BILL TO BE ENTITLED  
1-7 AN ACT

1-8 relating to the availability to the public of photographs of an  
1-9 inmate confined by the Texas Department of Criminal Justice.

1-10 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

1-11 SECTION 1. Section 552.029, Government Code, is amended to  
1-12 read as follows:

1-13 Sec. 552.029. RIGHT OF ACCESS TO CERTAIN INFORMATION  
1-14 RELATING TO INMATE OF DEPARTMENT OF CRIMINAL  
1-15 JUSTICE. Notwithstanding Section 508.313 or 552.134, the  
1-16 following information about an inmate who is confined in a facility  
1-17 operated by or under a contract with the Texas Department of  
1-18 Criminal Justice is subject to required disclosure under Section  
1-19 552.021:

1-20 (1) the inmate's name, identification number, age,  
1-21 birthplace, department photograph, physical description, or  
1-22 general state of health or the nature of an injury to or critical  
1-23 illness suffered by the inmate;

1-24 (2) the inmate's assigned unit or the date on which the  
1-25 unit received the inmate, unless disclosure of the information  
1-26 would violate federal law relating to the confidentiality of  
1-27 substance abuse treatment;

1-28 (3) the offense for which the inmate was convicted or  
1-29 the judgment and sentence for that offense;

1-30 (4) the county and court in which the inmate was  
1-31 convicted;

1-32 (5) the inmate's earliest or latest possible release  
1-33 dates;

1-34 (6) the inmate's parole date or earliest possible  
1-35 parole date;

1-36 (7) any prior confinement of the inmate by the Texas  
1-37 Department of Criminal Justice or its predecessor; or

1-38 (8) basic information regarding the death of an inmate  
1-39 in custody, an incident involving the use of force, or an alleged  
1-40 crime involving the inmate.

1-41 SECTION 2. This Act takes effect immediately if it receives  
1-42 a vote of two-thirds of all the members elected to each house, as  
1-43 provided by Section 39, Article III, Texas Constitution. If this  
1-44 Act does not receive the vote necessary for immediate effect, this  
1-45 Act takes effect September 1, 2005.

1-46 \* \* \* \* \*