

By: Coleman

H.B. No. 3217

A BILL TO BE ENTITLED

AN ACT

relating to assault by employee on inmate.

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

SECTION 1. Section 501.002, Government Code, is amended to read as follows:

Section 501.002. (a) If an employee of the department commits an assault on an inmate housed in a facility operated by or under contract with the department, the executive director shall file a complaint with the proper official of the county in which the offense occurred. If an employee is charged with an assault described by this section, an inmate or person who was an inmate at the time of the alleged offense may testify in a prosecution of the offense. (b) Each fiscal year the executive director shall file with the Texas Board of Criminal Justice, a report identifying the number of referrals made pursuant to this section, the county official to which each referral was made, the date of each referral, the substance of each referral and the disposition of each referral. This report shall be made available to the public upon request.

SECTION 2. This Act takes effect September 1, 2005.