

## **BILL ANALYSIS**

H.B. 432  
By: Madden  
Corrections  
Committee Report (Unamended)

### **BACKGROUND AND PURPOSE**

The Legislature has previously made the sale of products produced in whole or in part with offender labor on the open market illegal, unless produced specifically under the Prison Industry Enhancement Certification Program (PIE). Under a different statute, Section 501.013 of the Government Code, offenders are permitted to produce arts and crafts items and to sell those items. Section 497.010, Government Code, is in conflict with Section 501.013, Government Code. Offenders have been permitted to sell these arts and crafts items and should not be prohibited from continuing to do so.

H.B. 432 amends the Government Code to allow the selling of inmate-produced arts and crafts, as authorized in Section 501.013, Government Code.

### **RULEMAKING AUTHORITY**

It is the committee's opinion that this bill does not expressly grant any additional rulemaking authority to a state officer, department, agency, or institution.

### **ANALYSIS**

H.B. 432 provides that it is an exception to the application of Section 497.010, Government Code, that the actor was an inmate or state jail defendant confined in a facility operated by or under contract with the Texas Department of Criminal Justice who sold or offered to sell an art or craft in the manner authorized under Section 501.013(b), Government Code.

The change in law made by H.B. 432 applies to an offense committed before, on, or after September 1, 2007.

### **EFFECTIVE DATE**

September 1, 2007.