

By: Madden

H.B. No. 435

A BILL TO BE ENTITLED

AN ACT

relating to the detection and monitoring of a cellular telephone in the possession of or used by an inmate or state jail defendant.

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

SECTION 1. Chapter 500, Government Code, is amended by adding Section 500.008 to read as follows:

Sec. 500.008. DETECTION AND MONITORING OF CELLULAR TELEPHONES. (a) An inmate or state jail defendant confined in a facility operated by or under contract with the department does not have an expectation of privacy in a cellular telephone located on the premises of the facility.

(b) The inspector general may use an electronic, mechanical, or other device to detect, locate, identify, scan, or monitor a cellular telephone in the possession of or used by an inmate or state jail defendant confined in a facility operated by or under contract with the department.

SECTION 2. This Act takes effect immediately if it receives a vote of two-thirds of all the members elected to each house, as provided by Section 39, Article III, Texas Constitution. If this Act does not receive the vote necessary for immediate effect, this Act takes effect September 1, 2007.