

By: Coleman

H.B. No. 1068

A BILL TO BE ENTITLED

AN ACT

relating to distribution of condoms to inmates and state jail defendants confined in facilities operated by or under contract with the Texas Department of Criminal Justice.

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

SECTION 1. Subchapter B, Chapter 501, Government Code, is amended by adding Section 501.0541 to read as follows:

Sec. 501.0541. DISTRIBUTION OF CONDOMS TO INMATES AND STATE JAIL DEFENDANTS. (a) The department shall adopt a policy that:

(1) allows any nonprofit or public health care agency to distribute condoms to inmates and state jail defendants confined in facilities operated by or under contract with the department; and

(2) provides for the disposal of used condoms in a manner that protects:

(A) the anonymity of inmates and state jail defendants; and

(B) the health of department employees, inmates, and state jail defendants.

(b) Possession of a condom distributed in accordance with the policy adopted under Subsection (a) may not be used as evidence of illegal activity for purposes of administrative sanctions against an inmate or state jail defendant.

SECTION 2. This Act takes effect immediately if it receives

H.B. No. 1068

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