

AN ACT

relating to use of certain electronic monitoring technology in certain correctional facilities by the Texas Department of Criminal Justice.

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

SECTION 1. Chapter 494, Government Code, is amended by adding Section 494.0111 to read as follows:

Sec. 494.0111. ELECTRONIC MONITORING AND TRACKING SYSTEMS.

(a) In this section, "electronic monitoring and tracking system" means an electronic monitoring system that:

(1) tracks in real time the location of a person wearing a remote transmitter through the constant sending and receiving of signals between a centralized monitoring center and the remote transmitter and alerts a centralized monitoring center when preestablished criteria, including unauthorized entrances and exits from a correctional facility, are violated;

(2) is compatible with the wireless transmission of information and has sufficient bandwidth to support additional wireless networking devices; and

(3) is capable of:

(A) recording an inmate's attendance at a program or class the inmate is required to attend; and

(B) recording information that may be stored for at least six months.

1           (b) In any correctional facility the construction of which  
2 begins on or after September 1, 2007, the department shall ensure  
3 that the correctional facility is designed and built to use an  
4 electronic monitoring and tracking system to monitor effectively  
5 and efficiently the physical location and safety of:

6                   (1) all inmates housed by the department in the  
7 facility;

8                   (2) all employees of the department working in the  
9 facility;

10                  (3) all third-party vendors or other contractors who  
11 work in the facility; and

12                  (4) all visitors to the facility who are granted  
13 access to areas of the facility to which only employees are normally  
14 admitted.

15           (c) In any correctional facility the construction of which  
16 began before September 1, 2007, the department may retrofit the  
17 correctional facility to use an electronic monitoring and tracking  
18 system to monitor effectively and efficiently the physical location  
19 and safety of:

20                   (1) all inmates housed by the department in the  
21 facility;

22                   (2) all employees of the department working in the  
23 facility;

24                  (3) all third-party vendors or other contractors who  
25 work in the facility; and

26                  (4) all visitors to the facility who are granted  
27 access to areas of the facility to which only employees are normally

1 admitted.

2 (d) The department shall require all individuals described  
3 by Subsections (b) and (c) to wear radio frequency identification  
4 transmitters while they are housed, working in, or visiting a  
5 facility that is designed and built or retrofitted to use an  
6 electronic monitoring and tracking system.

7 (e) This section does not apply to a jail owned or operated  
8 by a municipality.

9 SECTION 2. This Act takes effect September 1, 2007.

---

President of the Senate

---

Speaker of the House

I certify that H.B. No. 2990 was passed by the House on May 9, 2007, by the following vote: Yeas 141, Nays 0, 1 present, not voting.

---

Chief Clerk of the House

I certify that H.B. No. 2990 was passed by the Senate on May 23, 2007, by the following vote: Yeas 31, Nays 0.

---

Secretary of the Senate

APPROVED: \_\_\_\_\_

Date

---

Governor