

By: Madden

H.B. No. 2990

A BILL TO BE ENTITLED

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. RADIO FREQUENCY IDENTIFICATION ELECTRONIC MONITORING SYSTEMS. (a) In this section, "radio frequency identification electronic monitoring 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;

(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) using an encrypted bar code or similar unique identification label to track pharmaceuticals, meals, and other goods provided to inmates by the department;

(B) serving as a time-keeping system for individuals who wear a transmitter;

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

3                   (D) recording information that may be stored for  
4 at least six months.

5           (b) In any correctional facility the construction of which  
6 begins on or after September 1, 2007, the department shall ensure  
7 that the correctional facility is designed and built to use a radio  
8 frequency identification electronic monitoring system to monitor  
9 effectively and efficiently the physical location and safety of:

10                   (1) all inmates housed by the department in the  
11 facility;

12                   (2) all employees of the department working in the  
13 facility;

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

16                   (4) all visitors to the facility who are granted  
17 access to areas of the facility to which only employees are normally  
18 admitted.

19           (c) In any correctional facility the construction of which  
20 began before September 1, 2007, the department may retrofit the  
21 correctional facility to use a radio frequency identification  
22 electronic monitoring system to monitor effectively and  
23 efficiently the physical location and safety of:

24                   (1) all inmates housed by the department in the  
25 facility;

26                   (2) all employees of the department working in the  
27 facility;

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

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

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

11           (e) A radio frequency identification transmitter provided  
12 to an individual other than an inmate must enable the individual to  
13 summon assistance or report an emergency by pushing a button on the  
14 transmitter.

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