

1-1 By: Madden (Senate Sponsor - Seliger) H.B. No. 2990
1-2 (In the Senate - Received from the House May 10, 2007;
1-3 May 14, 2007, read first time and referred to Committee on Criminal
1-4 Justice; May 18, 2007, reported favorably by the following vote:
1-5 Yeas 5, Nays 0; May 18, 2007, sent to printer.)

1-6 A BILL TO BE ENTITLED
1-7 AN ACT

1-8 relating to use of certain electronic monitoring technology in
1-9 certain correctional facilities by the Texas Department of Criminal
1-10 Justice.

1-11 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

1-12 SECTION 1. Chapter 494, Government Code, is amended by
1-13 adding Section 494.0111 to read as follows:

1-14 Sec. 494.0111. ELECTRONIC MONITORING AND TRACKING SYSTEMS.

1-15 (a) In this section, "electronic monitoring and tracking system"
1-16 means an electronic monitoring system that:

1-17 (1) tracks in real time the location of a person
1-18 wearing a remote transmitter through the constant sending and
1-19 receiving of signals between a centralized monitoring center and
1-20 the remote transmitter and alerts a centralized monitoring center
1-21 when preestablished criteria, including unauthorized entrances and
1-22 exits from a correctional facility, are violated;

1-23 (2) is compatible with the wireless transmission of
1-24 information and has sufficient bandwidth to support additional
1-25 wireless networking devices; and

1-26 (3) is capable of:

1-27 (A) recording an inmate's attendance at a program
1-28 or class the inmate is required to attend; and

1-29 (B) recording information that may be stored for
1-30 at least six months.

1-31 (b) In any correctional facility the construction of which
1-32 begins on or after September 1, 2007, the department shall ensure
1-33 that the correctional facility is designed and built to use an
1-34 electronic monitoring and tracking system to monitor effectively
1-35 and efficiently the physical location and safety of:

1-36 (1) all inmates housed by the department in the
1-37 facility;

1-38 (2) all employees of the department working in the
1-39 facility;

1-40 (3) all third-party vendors or other contractors who
1-41 work in the facility; and

1-42 (4) all visitors to the facility who are granted
1-43 access to areas of the facility to which only employees are normally
1-44 admitted.

1-45 (c) In any correctional facility the construction of which
1-46 began before September 1, 2007, the department may retrofit the
1-47 correctional facility to use an electronic monitoring and tracking
1-48 system to monitor effectively and efficiently the physical location
1-49 and safety of:

1-50 (1) all inmates housed by the department in the
1-51 facility;

1-52 (2) all employees of the department working in the
1-53 facility;

1-54 (3) all third-party vendors or other contractors who
1-55 work in the facility; and

1-56 (4) all visitors to the facility who are granted
1-57 access to areas of the facility to which only employees are normally
1-58 admitted.

1-59 (d) The department shall require all individuals described
1-60 by Subsections (b) and (c) to wear radio frequency identification
1-61 transmitters while they are housed, working in, or visiting a
1-62 facility that is designed and built or retrofitted to use an
1-63 electronic monitoring and tracking system.

1-64 (e) This section does not apply to a jail owned or operated

2-1 by a municipality.

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

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