

By: Riddle

H.B. No. 3653

A BILL TO BE ENTITLED

1 AN ACT

2 relating to contracts between the Texas Board of Criminal Justice
3 and private vendors for the use of inmate labor to construct fences
4 along the Texas-Mexico border.

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

6 SECTION 1. Subchapter E, Chapter 497, Government Code, is
7 amended by adding Section 497.098 to read as follows:

8 Sec. 497.098. CONTRACTS WITH PRIVATE VENDORS TO CONSTRUCT
9 FENCES ALONG TEXAS-MEXICO BORDER. (a) To further public safety and
10 on the request of a landowner who owns land that abuts the
11 Texas-Mexico border, the board may enter into a contract with a
12 private vendor to construct a segment of fence along the
13 Texas-Mexico border in accordance with the rules adopted by the
14 board under Subsection (b).

15 (b) The board, in consultation with the office of the
16 governor, shall adopt rules to implement the fence construction
17 program authorized by this section. The rules must require:

18 (1) the private vendor to design and oversee
19 construction of a razor wire fence that is 12 feet in height along
20 that portion of the Texas-Mexico border that abuts land owned by the
21 requesting landowner;

22 (2) the department to make available to the private
23 vendor the use of sufficient inmate labor by inmates the department
24 has classified as trusties to perform the labor involved in

1 constructing the fence;

2 (3) the department to comply with restrictions
3 described by Section 497.083 and to provide adequate security to
4 prevent any trusty from escaping, including the use of electronic
5 monitoring;

6 (4) the department to communicate to the Texas
7 Workforce Commission about job skills acquired by the trusties, for
8 the purpose of facilitating job placement after the trusties'
9 release from confinement; and

10 (5) the department to implement procedures designed to
11 maximize the job skills training acquired by participating
12 trusties.

13 SECTION 2. The Texas Department of Criminal Justice shall
14 adopt the rules required by Section 497.098, Government Code, as
15 added by this Act, not later than 90 days after the effective date
16 of this Act.

17 SECTION 3. This Act takes effect immediately if it receives
18 a vote of two-thirds of all the members elected to each house, as
19 provided by Section 39, Article III, Texas Constitution. If this
20 Act does not receive the vote necessary for immediate effect, this
21 Act takes effect September 1, 2007.